

FEDERAL REGISTER

VOLUME 20

1934

NUMBER 188

Washington, Tuesday, September 27, 1955

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter E—Organized Reserves

PART 562—RESERVE OFFICERS' TRAINING CORPS

ORGANIZATION AND TRAINING OF UNITS

Sections 562.10 through 562.42 are revoked and the following substituted therefor:

- Sec.
- 562.10 Purpose.
- 562.11 Divisions and units.
- 562.12 Classification of ROTC units.
- 562.13 Establishment of senior division ROTC units.
- 562.14 Nonestablishment of other than senior units.
- 562.15 Conditions for retention of units.
- 562.16 Maintenance of required standards.
- 562.17 Discontinuance of an ROTC unit.
- 562.18 Enrollment quotas.
- 562.19 Enrollment of students at institutions where military training is required.
- 562.20 General requirements for enrollment in ROTC.
- 562.21 Requirements for enrollment in specific cases.
- 562.22 Eligibility for membership of personnel of Armed forces.
- 562.23 Students ineligible for enrollment in senior division or military schools division.
- 562.24 Discharge or release from ROTC program.
- 562.25 Eligibility of certain graduates for appointment to service academies.
- 562.26 Training of students ineligible for enrollment.
- 562.27 Programs, content, and objectives of courses.
- 562.28 Acceleration and compression of courses.
- 562.29 Enrollment obligation and course duration.
- 562.30 Admission to advanced course.
- 562.31 Contracts and emoluments.
- 562.32 Placement for previous military training.
- 562.33 Interservice transfer of ROTC students.
- 562.34 Hours of instruction.
- 562.35 Courses of instruction.
- 562.36 Academic credit.
- 562.37 Absence from instruction.
- 562.38 Military training certificates.
- 562.39 Grading.
- 562.40 Bands.

AUTHORITY: §§ 562.10 to 562.40 issued under R. S. 161; 5 U. S. C. 22. Interpret or apply 39 Stat. 191, as amended, sec. 34, 41

Stat. 778; 10 U. S. C. 354, 381-383, 441.
Source: AR 145-350, August 4, 1955.

§ 562.10 *Purpose.* Sections 562.10 to 562.40 provide general instructions concerning the organization of the Reserve Officers' Training Corps (ROTC), the establishment and retention of units, and the enrollment and training of students. These policies will not be used to effect the discharge of any student from the ROTC program who was enrolled properly under the provisions of regulations in effect at the time of the student's enrollment unless otherwise stated.

§ 562.11 *Divisions and units.* The Army ROTC is composed of three divisions: senior division, military schools division, and junior division. Training units are established at participating civilian educational institutions in conformity with the provisions of the National Defense Act and this part.

(a) *Senior division.* The senior division Army ROTC is established to provide all or specific portions of a program of instruction consisting of the basic course (Military Science (MS I and II) and the advanced course (MS III and IV). Units in the senior division consist of branch type (Infantry, Signal Corps, etc.) or general military science (GMS) units. Units are established at the following types of institutions:

(1) *Degree granting colleges and universities.* The regular senior division (4-year) program consisting of the basic and the advanced course conducted at these institutions. The senior division program provides the military training and the institution curriculums provide the academic training required for appointment as a commissioned officer through the ROTC.

(2) *Satellite college (branch unit)* Certain colleges and universities are affiliated with satellite or feeder institutions located on separate campuses. The basic course (senior division) is conducted at such institutions when authorized.

(b) *Military schools division.* The military schools division Army ROTC provides a program of instruction in essentially military secondary schools and junior colleges. Military science training (MST) 1 through 4 is conducted at military secondary schools and MST 1

(Continued on next page)

CONTENTS

	Page
Agricultural Marketing Service	
Notices:	
Idaho Livestock Exchange, Inc., depositing of stockyard.....	7198
Proposed rule making:	
Milk in Stark County, Ohio, marketing area; handling of.....	7196
Rules and regulations:	
Cotton fiber and spinning tests; prescribed fees; correction.....	7186
Figs, dried, produced in California; handling of.....	7186
Agriculture Department	
See Agricultural Marketing Service; Rural Electrification Administration.	
Army Department	
Rules and regulations:	
Reserve Officers' Training Corps; organization and training of units.....	7177
Civil Aeronautics Administration	
Proposed rule making:	
High density air traffic zone rules, Washington, D. C.....	7197
Rules and regulations:	
Restricted areas; Banana River, Fla., alterations.....	7189
Standard instrument approach procedures; alterations.....	7190
Civil Aeronautics Board	
Notices:	
Accident which occurred at Ft. Leonard Wood, Mo., Aug. 4, 1955; hearing.....	7202
North Central Airlines, Inc., permanent certification case, hearing.....	7201
Ontario Central Airlines Ltd., hearing.....	7202
Proposed rule making:	
Tariffs of air carriers; reduced-rate transportation air carriers furnishing reduced-rate overseas or foreign air transportation to furloughed military personnel.....	7197
Civil Service Commission	
Rules and regulations:	
Federal employees' pay regulations; longevity step increase.....	7189
Group life insurance; retired employees.....	7189



Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 33), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER, or the CODE OF FEDERAL REGULATIONS.

RECORD RETENTION REQUIREMENTS

Reprint Notice

A reprint of the Federal Register dated April 8, 1955, is now available.

This issue, containing a 57-page index-digest of Federal laws and regulations relating to the retention of records by the public, is priced at 15 cents per copy.

Order from Superintendent of Documents, Government Printing Office, Washington 25, D. C.

CONTENTS—Continued

Commerce Department	Page
See Civil Aeronautics Administration.	
Defense Department	
See Army Department.	
Federal Power Commission	
Notices:	
Hearings, etc..	
City of Des Arc, Ark., et al..	7203
Colorado Interstate Gas Co..	7204
Fish and Wildlife Service	
Rules and regulations:	
Southeastern Alaska Area, commercial salmon fisheries.....	7189

RULES AND REGULATIONS

CONTENTS—Continued

Interior Department	Page
See Fish and Wildlife Service; Land Management Bureau.	
Interstate Commerce Commission	
Notices:	
Fourth section applications for relief.....	7202
Justice Department	
Notices:	
Federal employee security program; designation of organizations in connection with same.....	7201
Land Management Bureau	
Rules and regulations:	
Nebraska, public land order....	7189
Rural Electrification Administration	
Notices:	
Loan announcements (29 documents).....	7198-7201
Securities and Exchange Commission	
Notices:	
Investors Diversified Services, Inc., and Investors Syndicate of America, Inc., hearing....	7202

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

Title 3	Page
Chapter II (Executive orders)	
2245-B (revoked by PLO 1225).....	7189
Title 5	
Chapter I.	
Part 25.....	7189
Part 37.....	7189
Title 7	
Chapter I.	
Part 28.....	7186
Chapter IX.	
Part 963 (proposed).....	7196
Part 964.....	7186
Title 14	
Chapter I.	
Part 227 (proposed).....	7197
Chapter II.	
Part 608.....	7189
Part 609.....	7190
Part 618 (proposed).....	7197
Title 32	
Chapter V	
Part 562.....	7177
Title 43	
Chapter I.	
Appendix (Public land orders) 1225.....	7189
Title 50	
Chapter I.	
Part 117.....	7189
Part 118.....	7189
Part 119.....	7189
Part 123.....	7189

through 6 is conducted at military junior colleges. The military schools division program is limited to the essentially military secondary schools and junior colleges currently established. The 6-year military schools division program provides the institutional phase of the military instruction required for appointment as a commissioned officer. A graduate of a military junior college who has completed MST 6 thereat must satisfactorily complete ROTC camp training and obtain a baccalaureate degree in order to be eligible for a commission.

(c) *Junior division.* The junior division Army ROTC consists of training units established at secondary level educational institutions. These units conduct a 3-year course of instruction in military fundamentals comprised of military training courses (MT 1 through 3). A junior unit may be established at a single institution or may include several schools in a city, town, or county system. Each school in a multiple-school unit conducts the complete junior program.

§ 562.12 *Classification of ROTC units.* Senior division, military schools division, and junior division units are classified according to the type of institution at which such units are established.

(a) *Senior division.* The senior division units are classified as follows:

(1) *Class MC.* Units established at essentially military colleges or universities which confer baccalaureate or graduate degrees; at which the average age of the students at the time of graduation is not less than 21 years; which require all students to pursue military training throughout the undergraduate course and require all members of the ROTC to be habitually in uniform, which constantly maintain military discipline; which have as objectives the development of the student by means of military training and the regulation of his conduct in accordance with disciplinary principles.

(2) *Class CC.* Units established at civilian colleges and universities which are not operated on an essentially military basis; which confer baccalaureate or graduate degrees; and at which the average age of the student at graduation is not less than 21 years.

(b) *Military schools division.* The military schools division is composed of units at designated schools which have been specifically authorized one of the following type units:

(1) *Class MJC.* Units established at essentially military schools which provide high school and junior college instruction but do not confer baccalaureate degrees. These units meet all other requirements of class MC and accept and maintain the specially designated program of instruction for this class of institution.

(2) *Class M1.* Units established at essentially military schools of secondary level of instruction which meet the military training requirements of class MC or class MJC and accept and maintain

the specially designated program of instruction for this class of institution.

(c) *Junior division.* The junior division units classified as class HS are units established at high schools and other educational institutions of comparable academic level which do not meet the requirements prescribed by any of the preceding classes.

§ 562.13 *Establishment of senior division ROTC units—(a) Requirements for establishment.* The Department of the Army is encouraging all educational institutions which currently have branch material senior division units to accept conversion to general military science (GMS) units. The ultimate goal is to provide GMS training at the precommissioning level and specialized branch material training at the branch service school. In furtherance of this plan, any new units which may be established will be GMS units. Institutions desiring the establishment of a senior division GMS unit must meet the following requirements:

(1) Be a 4-year degree granting college or university.

(2) Be accredited by the appropriate regional accrediting association.

(3) Have a male enrollment large enough to insure that the requirements of subparagraph (4) (xi) and (xii) of this paragraph will be met.

(4) Agree to the following, contingent upon approval of the institution by the Department of the Army for the establishment of an ROTC unit.

(i) To establish a Department of Military Science and Tactics as an integral academic and administrative department of the institution.

(ii) To establish and maintain a 4-year course of military training, the first 2 years of which will be elective or required; and a course of military training, extending throughout the remainder of the normal undergraduate course, enrollment in which will be elective on the part of students selected by the professor of military science and tactics and the head of the institution.

(a) To require that a student who enrolls in either course must complete that course as a prerequisite for his graduation, unless relieved of this obligation by regulations prescribed by the Secretary of the Army.

(b) To require that a student who enrolls in MS III and agrees to accept a Reserve commission will accept such commission, if tendered, as a prerequisite for graduation, unless relieved of this obligation.

(c) Students who are granted a postponement in attending ROTC camp until after their specified graduation date may be relieved of the obligation of completing the ROTC course as a prerequisite for graduation, provided camp attendance is the only portion of the ROTC course not completed.

(iii) To adopt into the curriculum of the institution the military courses or subjects prescribed by the Secretary of the Army and to require each student enrolled in MS I or II to devote not less than 3 hours a week each academic year to this training; and to require each student enrolled in MS III or IV to devote

not less than 5 hours a week each academic year to military courses.

(iv) To grant credit applicable toward graduation for completion of each semester, quarter, or term of the military courses.

(v) To make available to the Department of Military Science and Tactics, the necessary classrooms, administrative offices, office equipment, storage space, and other required facilities in an equitable manner comparable with the other departments of the institution.

(vi) To arrange for the scheduling of military classes in such a manner as to make it equally convenient for a student to participate in the ROTC as to pursue courses conducted by other departments of the same academic level and to include a member of the Department of Military Science and Tactics on all faculty committees whose recommendations would directly affect the Department of Military Science and Tactics.

(vii) To appoint or designate a civilian member of the staff or faculty of the school as military property custodian who will be empowered to requisition, receive, stock, and account for Government property issued to the school and otherwise transact matters pertaining thereto for the school.

(viii) To conform to the regulations of the Secretary of the Army relating to issue, care, use, safekeeping, turn-in, and accounting for such Government property as may be issued to the institution.

(ix) To furnish adequate bond or other indemnity (in no case less than \$5,000) to insure the protection of Government property issued to the institution.

(x) Not to apply or accept other than an Army ROTC unit without prior notification to the Department of the Army.

(xi) To enroll a minimum of 100 students in MS I during each academic year.

(xii) To produce a minimum of 25 officers each year.

(b) *Procedure for the establishment of a senior division ROTC unit.* (1) The authorities of an institution may apply for the establishment of an Army ROTC unit using DA Form 918 (Application and Agreement for Establishment of Army ROTC Unit), which may be obtained from The Adjutant General, Department of the Army, Washington 25, D. C., Attn: AGPB-O, or from appropriate army commander. The application should be accomplished and submitted in quintuplicate to the army commander, who will acknowledge receipt of the application and place it in an active file until plans for an activation program are announced by the Department of the Army. A copy of the acknowledgment letter will be forwarded to The Adjutant General, Washington 25, D. C., Attn: AGPB-O. When an activation program is announced, the institution which submitted an application will be inspected by an Army representative who will advise the school authorities of changes required to bring application up to date. The army commander will review the application for completeness and forward the original and three copies through the Commanding General, Con-

tinental Army Command, to The Adjutant General, Department of the Army, Washington 25, D. C., Attn: AGPB-O with appropriate recommendations.

(2) When action on the activation program has been completed, each institution submitting an application will be notified promptly and appropriately by the Department of the Army. Applications which have been favorably considered will be countersigned by the Secretary of the Army or his designated representative. Signed copies will be forwarded to the head of the institution, army commander, and the Commanding General, Continental Army Command.

(c) *Exception.* Establishment of new satellite ROTC units at degree granting institutions notwithstanding supervision by a common board of control is prohibited.

§ 562.14 *Nonestablishment of other than senior units.* (a) The Department of the Army does not plan to establish additional ROTC units in categories which are not directly officer producing. Units in these categories already established will be continued in the program so long as they continue to meet the requirements for retention of ROTC units (§ 562.15)

(b) New junior division units and subunits will not be established. Authorities of educational institutions who indicate a desire to participate in the junior division ROTC program may submit an application; however, they will be advised by army commanders of the policy stated above, and as an alternative, will be invited to apply for a military training unit authorized under the provisions of section 55c of the National Defense Act, as amended. See §§ 542.1 to 542.15 of this chapter.

§ 562.15 *Conditions for retention of units.* In order to retain an established ROTC unit, each institution must continuously meet the following requirements:

(a) *Support of ROTC.* Each institution must support the ROTC program in such a manner that the unit will merit a rating of satisfactory of the annual formal inspection with respect to any item affected by the institutional support.

(b) *Enrollment.* Each institution must meet the following enrollment requirements:

(1) *Class MC and CC institutions.* Enroll 100 students in MS I during the academic year, except in the case of the University of Alaska which will be required to enroll at least 50. In computing enrollment for this purpose, all students enrolled at anytime throughout the school year will be counted, and losses will not be deducted.

(2) *Class MJC institutions.* Maintain an enrollment of 100 students in the ROTC unit throughout the academic year.

(3) *Class M1 institutions.* Maintain an enrollment of 100 students in the ROTC unit throughout the academic year.

(4) *Class HS institutions.* Maintain an enrollment of 100 students in the ROTC unit throughout the academic year.

Each school in a multiple junior division unit must meet this requirement separately.

(c) *Production requirement.* Each class MC and CC institution must produce a minimum of 25 officers each year.

(d) *Accreditation.* All institutions which have ROTC units must maintain the appropriate regional accreditation. Secondary schools located in the areas where regional accreditation is not available must maintain appropriate State accreditation.

(e) *Other factors.* Each class MC and CC institution must maintain the requirements for establishment of a senior division ROTC unit as prescribed in § 562.13.

(f) *Satellite units.* Satellite units will be required to meet the appropriate requirements of paragraphs (a), (b), (c), and (e) of this section separately.

§ 562.16 *Maintenance of required standards.* (a) Army commanders will inspect periodically and review the training of each ROTC unit to insure that the objectives of the ROTC as set forth in §§ 562.1-562.9 are being accomplished and that each institution is maintaining the requirements for the retention of units set forth in § 562.15. In addition, when an institution fails to maintain the required standards, the professor of military science and tactics will make a report in writing to the army commander including the following information when pertinent:

(1) Attitude of the authorities of the institution regarding the failure of the institution to maintain the requirements of law and regulations.

(2) Attitude of the faculty of the institution toward the ROTC.

(3) Attitude of the student body toward the ROTC.

(4) A Statement of the efforts made by the professor of military science and tactics to overcome difficulties and to maintain a successful unit.

(b) If the report of the inspection team indicates that the institution is not maintaining required standards, or upon receipt of such report from the professor of military science and tactics, the army commander will promptly contact the institutional authorities for the purpose of evolving corrective action. Upon final determination of the situation, the army commander will make appropriate recommendations through channels to The Adjutant General, Washington 25, D. C., Attn: AGPB-O. These recommendations may include, but need not be limited to, temporary waiver of a non-statutory requirement, placing the school on probation, or withdrawal of the unit. The recommendation to waive a requirement must be based upon unusual circumstances, such as:

(1) A request for a temporary waiver of the enrollment requirement will be based only on exceptional survival rates which would indicate that the minimum production standard will be maintained despite failure to meet the enrollment requirement.

(2) A request for a waiver of the requirement to produce at least 25 officers will be limited to those cases involving a single class and wherein a resumption of

normal production in subsequent classes is indicated.

(c) A school which is placed on probation will be notified promptly by the Department of the Army. An institution placed on probation will remain in a probationary status for 1 academic year. If at the end of that period, the deficiency has not been remedied, action will be taken to withdraw the unit. If the situation is corrected during the probationary period, the school will be removed from probation.

(d) An institution of the military schools or junior division on probation will not be considered for the designation of "Honor ROTC Unit," and will not be authorized to designate honor graduates.

§ 562.17 *Discontinuance of an ROTC unit*—(a) *School request.* The authorities of an institution desiring the discontinuance of an ROTC unit should promptly notify the appropriate army commander in writing through the professor of military science and tactics.

(b) *For cause.* Recommendations for withdrawals of a unit for reasons other than a request by the school officials will be made only for cause, including, but not limited to the following:

(1) Failure of the institution to maintain the requirements for the maintenance of an ROTC unit as set forth in § 562.15.

(2) Failure of an institution on probation to remedy the cause therefor.

(3) When withdrawal serves the best interests of the service.

(c) *Method of withdrawal.* Every effort will be made to effect the orderly phase-out of the ROTC training program and of the enrolled students. Upon receipt of the Department of the Army notification of withdrawal of an ROTC unit:

(1) New enrollments will not be accepted.

(2) Currently enrolled students will, when practicable, be given the opportunity to complete the 2-year course in which enrolled. Whenever possible, the unit will continue in operation for one academic year. This is not applicable to junior division units.

(3) The phasing out of the ROTC will be so arranged as to minimize the effects upon the institution and the students.

§ 562.18 *Enrollment quotas.* (a) Quotas for the enrollment of students in the Army ROTC will be established and allotted as required by the Department of the Army.

(b) Qualified male students will be selected and enrolled by the professor of military science and tactics with the approval of the head of the institution in the junior division, military schools division, and senior division ROTC within quota limitations. Where branch material units exist, the selected senior division students will be enrolled so far as possible in the branch of their choice if qualified therefor. When quotas necessitate selection of only a portion of qualified applicants, the professor of military science and tactics will give full consideration to all those eligible including transfer students and will select for enrollment those who are best qualified.

(c) At an institution which maintains an Air Force ROTC unit in addition to an Army ROTC unit, college freshmen who apply for ROTC will be enrolled in the service of their choice within quota limitations and limitations imposed by joint Army-Air Force policies in effect at time of enrollment. See §§ 562.1 to 562.9.

§ 562.19 *Enrollment of students at institutions where military training is required.* Students who are required to participate in military training by institutional regulations or State laws and who meet the requirements for enrollment prescribed in §§ 562.20 and 562.21 will be enrolled in the ROTC within quota limitations.

§ 562.20 *General requirements for enrollment in ROTC* (see § 562.26 for training of students ineligible for enrollment) To be eligible for enrollment in any division of the ROTC, a student must be:

(a) A male citizen of the United States.

(b) Not less than 14 years of age.

(c) A regularly enrolled student of the institution.

(d) Physically qualified under standards prescribed in AR 145-120 (Army regulations prescribing standards for medical examination) A veteran currently receiving compensation from the Veterans Administration for temporary or limited physical disability, if physically qualified under AR 145-120, is eligible to enroll in the ROTC and receive concurrently allowances authorized for ROTC students and compensation from the Veterans Administration for such temporary or limited physical disability. A waiver of physical defects will be granted only in exceptional cases as prescribed in AR 145-120.

(e) Qualified morally. A student who has a record of conviction by a civil court or by any type of court martial, for other than a minor traffic violation, is not eligible for enrollment in the ROTC without approval of the army commander. The student may submit a request for a waiver of conviction by a civil or military court to the army commander for determination when the offense is nonrecurring, provided such request is accompanied by the recommendation of the professor of military science and tactics that a waiver be granted. Each request for waiver must be accompanied by an affidavit setting forth the circumstances surrounding the conviction(s) reported and containing a statement to the effect that the applicant has not been convicted of any violation other than those reported.

§ 562.21 *Requirements for enrollment in specific cases.* In addition to the general requirements for enrollment enumerated in § 562.20, students enrolling in various courses of the ROTC must comply with the following specific requirements:

(a) *Senior division and military schools division.* Enrollment will be limited to those students who can qualify for appointment as second lieutenants prior to reaching 28 years of age. This age limitation will not be used as a basis

for disenrollment of any student presently enrolled in the program.

(b) *Basic course senior division and MST 3 and 4 course military schools division*—(1) *Academic requirements.* A student enrolling in these courses must:

(i) Successfully complete such survey and general screening tests as may be prescribed.

(ii) Except when compression is authorized, be enrolled in the college freshman academic year to be enrolled in MS I.

(iii) Except when compression is authorized, be enrolled in the junior academic year of a secondary school to be enrolled in MST 3, and have completed MST 1 and 2 or the equivalent thereof.

(2) *Loyalty requirement.* Prior to enrollment in the basic course, each student must satisfactorily execute the following loyalty oath:

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign or domestic; that I will bear true faith and allegiance to the same; and that I take this obligation freely, without any mental reservation or purpose of evasion; so help me God.

If the student refuses to sign the loyalty oath, enrollment will be denied him. When desired by institutional authorities and with the approval of the professor of military science and tactics, he may receive instruction as provided by § 562.26. Such student will not be permitted to wear the Army ROTC uniform or insignia.

(c) *Advanced course senior division and MST 5 and 6 course military schools division*—(1) *Officer potential.* Each student must demonstrate positive potential of becoming an effective officer. No student will be enrolled or continued in these courses who fails to demonstrate or maintain that potential.

(2) *Loyalty requirement.* Each student must satisfactorily execute DD Form 98 prior to enrollment in the advanced course senior division or MST 5 and 6 course military schools division. This requirement will be completed in sufficient time to permit adjudication of the case prior to the anticipated date of enrollment. No student will be authorized to enroll in these courses unless he has satisfactorily completed DD Form 98, nor will he be authorized to pursue the course under the provisions of § 562.26. The execution of DD Form 98 prior to enrollment in these courses will not exempt the student from execution of the form at the time of appointment. Prior to being requested to sign the certificate, the student will be oriented as to the provisions therein. The consequences, or false or incomplete certificate or refusal to sign the form, in future character or background inquiries and investigations will be explained. Action with reference to the execution of the form will be taken as indicated in AR 604-10 (Army regulations prescribing military personnel security program)

(i) If the student completes DD Form 98 in the negative, the professor of military science and tactics may enroll the student in the ROTC program, if other-

wise qualified, and will retain the form and add it to the student's papers at the time of appointment.

(ii) If the student completes DD Form 98 with qualifications or entries are made thereon which provide reason for belief that his enrollment is not clearly consistent with the interests of national security, enrollment will be held in abeyance. The professor of military science and tactics will forward DD Form 98 with three copies of DD Form 398 (Statement of Personnel History) to the army commander for action in accordance with AR 604-10.

(iii) If the student refuses to accomplish DD Form 98 enrollment will be denied him. In these instances the professor of military science and tactics will complete the form and dispose of the case as provided in AR 604-10.

(3) *Student requirement.* A student enrolling in these courses must:

(i) Attain a minimum score equal to an Army Standard Rating of 115 on the ROTC Qualifying Examination (RQ-3) to qualify for admission into MS III or attain a minimum score equal to an Army Standard Rating of 115 on the General Screening Test (GST-1 or -2) for admission into MST 5. A student who fails to attain the minimum score on either RQ-3 or GST-1 or -2 tests will not be retested unless the failure was on the RQ-3 test at high school senior level, in which case the student may be retested with GST-1 or -2. Professor of military science and tactics and heads of educational institutions may permit enrollment into MS III of MST 5 of students who receive a standard score not lower than 110 provided the students possess outstanding traits of character and leadership ability and have a satisfactory academic standing, and provided the number of such students permitted to enroll does not exceed 5 percent of the total number in the school who achieved a score of 115 or higher. Selections will be made by a board consisting of both military and civilian faculty members. These tests will be administered normally during the spring term and the student will be informed of the results and tentative acceptance prior to the end of the term. The professor of military science and tactics will explain the purpose of these screening tests to each student prior to administration. Each student will write his name, name of the school and branch of ROTC training in which enrolled on the answer sheet. The following material will be used in administering the RQ-3 and GST-1 and -2 examinations:

(a) RQ-3. Test Booklet—DA PRT 1463; Manual—DA PRT 1423; Scoring Key—DA PRT 1464; and Answer Sheet—DA PRT 1424.

(b) GST-1. Test Booklet—DA PRT 2824; and Scoring Key—DA PRT 2827.

(c) GST-2. Test Booklet—DA PRT 2825; and Scoring Key—DA PRT 2830.

(d) GST-1 and -2. Manual—DA PRT 2826; Answer Sheet—DA PRT 2004; and SOP for Scoring, DA PRT 2833.

(ii) Successfully complete such other survey and general screening tests as may be prescribed.

(iii) Have completed MS I and II or received credit in lieu thereof if entering MS III. Have completed MST 1, 2, 3, and 4 or received credit in lieu thereof if entering MST 5.

(iv) If entering MS III, have at least 2 academic years to complete prior to graduation, except as provided in § 562.23 concerning the compression of the advanced course. If entering MST 5, must be enrolled at least as a freshman in the junior college department.

(v) Execute a written contract with the Government as prescribed in § 562.31.

(4) *Technical ROTC service courses.* Requirements for enrollment in technical ROTC service courses will be limited to students in the following categories:

(i) *Chemical Corps:* Enrolled in any academic course of instruction leading to a degree in a scientific or engineering subject, with preference for the chemical, biological, physical, and mechanical arts and sciences.

(ii) *Corps of Engineers:* Enrolled in any academic course of instruction leading to an engineering, technical, or other scientific degree.

(iii) *Ordnance Corps:* Enrolled in any academic course of instruction leading to an engineering, technical, or other scientific degree. However, students enrolled in courses other than these may be admitted if marked ability, aptitude, or interest in technical fields of endeavor is demonstrated.

(iv) *Signal Corps:* Enrolled in any academic course leading to a degree in engineering, electronics, physics, meteorology, or mathematics. However, students enrolled in courses other than these may be admitted if, in the opinion of the professor of military science and tactics, the student's academic and civilian background qualifies him for service in nontechnical Signal Corps activities.

(5) *Requirement for enrollment in other ROTC courses.* Enrolled in an academic course leading to a degree in any recognized field.

§ 562.22 *Eligibility for membership of personnel of Armed Forces.* (a) No active member of the Army, Navy, Air Force, Marine Corps, or Coast Guard or officer of the Public Health Service will be enrolled in the Army ROTC.

(b) A student holding a certificate of eligibility for appointment as an officer will not be enrolled in the ROTC.

(c) Commissioned officers or former commissioned officers of the Army, Air Force, Navy, Coast Guard, Marine Corps, Naval Militia and reserve components thereof will not be enrolled in the ROTC.

(d) Warrant officers and enlisted members of the Army Reserve and National Guard are eligible for membership in the ROTC provided they are otherwise qualified.

(e) Warrant officers and enlisted members of the Air Force Reserve and National Guard, Navy, Coast Guard, and Marine Corps Reserve, and Naval Militia may enroll in the basic course of MST 3 and 4 course if the enrollment quota permits. These individuals, however, will not be placed under a deferment agreement unless separated from such status, or they transfer to the Army Reserve.

(f) Warrant officers and enlisted members of the Air Force Reserve and National Guard, Navy, Marine Corps, and Coast Guard Reserve, and Naval Militia will not be enrolled in the advanced course or MST 5 and 6 course unless formally separated from such status.

§ 562.23 *Students ineligible for enrollment in senior division or military schools division.* The following students are not eligible for enrollment in the senior division Army ROTC or MST 3, 4, 5, and 6 courses of the military schools division:

(a) A student who is a conscientious objector. If a student has been a conscientious objector, he will be required to furnish an affidavit which expresses his abandonment of such beliefs and principles so far as they pertain to his willingness to bear arms and to give full and unqualified military service to the United States.

(b) A student who has been relieved from active duty or separated from service for one of the following reasons:

(1) Under other than honorable conditions, except when such discharge was changed to separation "under honorable conditions." However, an individual is not eligible for enrollment solely because of such change. The student will not be enrolled until prior approval is obtained from The Adjutant General, AGPB-O.

(2) For unsatisfactory service.

(3) As a security risk or for any other reason while undergoing investigation.

(c) Fails to satisfy the loyalty requirements as prescribed in § 562.21.

§ 562.24 *Discharge or release from ROTC program.* (a) A student enrolled in the ROTC will, with the approval of the army commander, be discharged for the convenience of the Government when:

(1) He fails to maintain scholastic standing as required by the institution in academic or in ROTC courses. He may continue to be enrolled in the ROTC if he has been issued a conditional grade in ROTC or academic courses which may be removed by appropriate remedial study or other action approved by institutional authorities.

(2) His attendance at the ROTC institution is interrupted by a period of more than 2 calendar years before starting the final term or semester of ROTC instruction under the written contract.

(3) He fails to demonstrate that further instruction will qualify him for appointment as a commissioned officer.

(4) He indicates through actions, attitudes, or general conduct that he lacks those traits of character, honesty, honor, and integrity which are a prerequisite to a successful career as a commissioned officer.

(i) It is discovered that there is a fact or a condition which would act as an impediment or serve to bar the individual from appointment.

(6) He fails to maintain requirements for enrollment as indicated in §§ 562.20, 562.21 and 562.22.

(b) A student under contract will not be discharged from the ROTC prior to graduation to accept a commission in

the National Guard or Army Reserve, nor will he be authorized to attend a National Guard or Army Reserve camp in lieu of the required ROTC camp.

(c) Requests for withdrawal, discharge from current contract, or reinstatement under prior contract will be approved or disapproved by the army commander whose decision will be based upon the merits of each individual case. Except when withdrawal or discharge from the contract is for the convenience of the Government, the student should be required to refund to the Government any sums previously paid to him as commutation of subsistence. Collection will be made by the professor of military science and tactics and forwarded to the Finance Office, U. S. Army, normally furnishing finance service. If collection cannot be made, the entire file will be transmitted through the appropriate Finance Office, U. S. Army, and the Chief of Finance, to the General Accounting Office, Washington 25, D. C.

(d) The withdrawal from the institution of a student under contract terminates his obligation to continue the ROTC training unless he returns within 2 calendar years to the institution or enrolls in another institution which maintains a senior division Army ROTC unit, in which case he will be required to fulfill the provisions of his contract.

(e) The professor of military science and tactics will complete DD Form 785 (Record of Disenrollment from Officer Candidate-Type Training) for each student discharged from the senior division or MST 5 and 6 course of the military schools division ROTC program at the time of discharge or disenrollment, including a student who completes the course but is not commissioned. This form will be completed in a single copy for each disenrollee and will be retained in the ROTC unit at the institution until 5 years after discharge of the student. Upon request from another service of the Armed Forces for information regarding the discharge of an ROTC student, the request will be forwarded by The Adjutant General to the institution concerned. The institution will send a copy of DD Form 785 for the student concerned to the requesting service and a duplicate copy to The Adjutant General, Attn: AGPB-O.

§ 562.25 *Eligibility of certain graduates for appointment to service academies—(a) United States Military Academy—(1) General.* In accordance with the act of 9 July 1918 (40 Stat. 894, 10 U. S. C. 1901b) as amended, honor graduates of class MJC and MI institutions which have been awarded the rating of "Military-School Honor ROTC Unit" by the Department of the Army as prescribed below, may be nominated for appointment as competitive candidates for admission to the United States Military Academy.

(i) *Military School Honor ROTC Unit.* The rating "Military-School Honor ROTC Unit" is awarded by the Department of the Army to ROTC units of class MJC and MI institutions, which have maintained an exceptionally high standard of military training and discipline during the school year as deter-

mined by the results of inspections. This rating is effective only for the academic year following the annual designation.

(ii) *Honor Graduate.* A graduate of an institution whose ROTC unit has been awarded the rating "Military-School Honor ROTC Unit" and who has been designated as an "Honor Graduate" by the concerted action of the head of the school and the professor of military science and tactics. To be eligible for such designation, a student must meet the following minimum criteria.

(a) Be a graduate during an academic year in which the institution was awarded the "Military-School Honor ROTC Unit" rating or of the academic year following such award. The institution may designate a graduate of a former calendar year provided the institution received the award within the academic year in which the designee graduated. An undergraduate also may be designated provided he is in his senior year and the record of his academic, extracurricular and ROTC activities justifies the assumption that he will fully meet all requirements of (a) through (f) of this subdivision upon his graduation.

(b) Have been a member of the ROTC for at least 2 years prior to designation.

(c) Have shown proficiency in not less than 15 units in subjects prescribed for admission in the United States Military Academy catalog.

(d) Have graduated within the upper third of his class in academic standing.

(e) Have demonstrated in his academic, extracurricular, and ROTC activities that he possesses outstanding qualities of leadership, character, and aptitude for the military service.

(f) Be a citizen of the United States and meet all other requirements of law and regulation prescribed for admission to the United States Military Academy (which appear in the Catalogue of Information, United States Military Academy, West Point, New York, available upon request from The Adjutant General, Department of the Army, Washington 25, D. C., Attn: AGPB-M)

(2) *Nomination of honor graduates.* Each institution awarded the rating of "Military-School Honor ROTC Unit" by the Department of the Army may nominate annually not to exceed three honor graduates of that academic year for appointment as candidates to compete for admission to the United States Military Academy. Shortly after 1 July each year, The Adjutant General will invite these institutions to submit the nominations of candidates on forms provided for this purpose. Each nomination will include the certification of the head of the institution and professor of military science and tactics that the nominee meets the requirements of subparagraph (1) (ii) of this paragraph.

(3) *Examination procedures.* Each candidate nominated as indicated above will be issued a letter by The Adjutant General authorizing him to undergo the regular entrance examination held annually beginning in March. All such candidates will compete among themselves at that examination, and the available vacancies in the Corps of Cadets at the United States Military Academy allotted by law to institutions

awarded the "Military-School Honor ROTC Unit" rating will be filled by those candidates making the highest averages in the competitive examination without regard to the institution from which appointed.

(b) *United States Naval Academy.* In accordance with the act of June 6, 1941 (55 Stat. 246; 34 U. S. C. 1033a) "Honor Graduates" of educational institutions of the essentially military type which have been awarded the "Military-School Honor ROTC Unit" rating by the Department of the Army may be appointed as candidates for admission to the United States Naval Academy. Information concerning the manner of selection, appointment, and admission of such candidates may be obtained from the Chief of Naval Personnel, Department of the Navy, Washington 25, D. C.

§ 562.26 *Training of students ineligible for enrollment.* (a) When desired by institutional authorities, male students who are ineligible for enrollment in the ROTC may be permitted to pursue the course.

(b) Professor of military science and tactics at senior division, military schools division and junior division ROTC units may permit participation in the ROTC program of noncitizen students under the provisions of paragraph (a) of this section and permit disclosure of unclassified ROTC training materials to these students, subject to the following conditions:

(1) A noncitizen who has declared his intention of becoming a United States citizen or who intends to become a citizen of the United States must present evidence of such intent to the professor of military science and tactics. The following statement properly executed by the student will be used for this purpose.

I, _____, certify that (Full, true name without abbreviation) it is my intention to become a citizen of the United States.

I am _____ years old. I was born _____ in _____ (Month) (Day) (Year) (City or town) _____ (County, district, province or State) _____ (Country)

I affirm that the statements I have made and the intention I have expressed in this affidavit are true to the best of my knowledge and belief.

(Full and true signature of student)

Date _____

Witnesses by _____

(Professor of military science and tactics or Assistant professor of military science and tactics)

(2) A national of a foreign country with which the United States entertains friendly relations must present evidence of accreditation from his government. For this purpose each student will obtain a letter from the representative of his government in Washington, D. C., stating that the government has no objection to the student receiving ROTC training. The professor of military science and tactics will retain the original of the letter in the student's file and forward a copy for file to the office of the Assistant Chief of Staff, G-2, in the army area in which the institution is located. If the professor of military science and tactics is in doubt regarding the maintenance of friendly relations between the United States and another country, he will forward all papers to next higher headquarters for decision.

(c) Students receiving ROTC instruction in accordance with paragraph (a) or (b) of this section are subject to the following provisions:

(1) They will be reported on enrollment reports and will not be charged against any enrollment quotas.

(2) While pursuing ROTC training at an institution they will not be issued uniforms nor will they be authorized commutation of uniform or subsistence allowances.

(3) If subsequently enrolled in the ROTC, they may be granted credit for that portion of the course or courses successfully completed under the provisions of the paragraph.

(4) If the obstruction which prevented enrollment is removed and they are subsequently enrolled in the ROTC, they may be appointed as commissioned officers upon graduation.

§ 562.27 *Programs, content, and objectives of courses.* The content and objectives of the ROTC courses of instruction of the various branch type (Infantry, Signal Corps, etc.) and general military science training are governed by the provisions of the respective Army Training Programs (ATP 145-series) published by the Department of the Army.

(a) *Senior division.* The senior division provides a 4-year college level program of instruction of military science and consists of the basic course and the advanced course conducted at class MC and CC institutions.

(1) The basic course (MS I and II) will consist of a minimum of three hours a week (90 hours a year) of formal military instruction as prescribed in the appropriate ATP and will extend over a period of not less than 2 academic years. The basic course will not be compressed nor curtailed into less than 2 academic years.

(2) The advanced course (MS III and IV) will consist of a minimum of 5 hours a week (150 hours a year) of formal military instruction as prescribed in the appropriate Army Training Program. The course will extend over a period of 2 academic years, unless a compression of the course is authorized under the provisions of § 562.28.

(3) Senior division ROTC will be aligned with the level of college and university courses. Confinement does not preclude the granting of credit in lieu of all or part of the basic course for prior ROTC training or active military service. In cases where credit is given, the student will pursue ROTC training corresponding with his academic level, i. e., if a college student is granted credit in lieu of the entire basic course, he will begin MS III when he begins his junior academic year.

(4) Two types of curriculums are presently authorized in the senior division. The general military science

(GMS) curriculum provides instruction in military subjects common to all branches of the Army. Graduates are assigned to branches according to their academic training, the needs of the service and their own preference. In effect GMS places all branches of the service on each participating campus. The branch material (Infantry, Artillery, Engineers, etc.) ROTC program is conducted in a limited number of institutions. These curriculums provide instruction for specific branches of the Army. Graduates normally are assigned to the branch for which trained.

(5) The ROTC camp will consist of practical and theoretical military instruction as prescribed in the appropriate Army Training Program and will be of 6 weeks' duration. Students normally will attend camp during the summer months between MS III and MS IV. See §§ 562.58 to 562.67.

(b) *Military schools division.* (1) The military schools division provides a 6-year program of instruction of military science training conducted at class MJC and MI institutions. Class MI institutions are authorized to conduct MST 1 through 4, and class MJC institutions are authorized to conduct MST 1 through 6. MST courses 1 through 6 correspond to academic level grades 9 through 14 respectively and are correlated with senior and junior division training as follows:

Military schools division:	Correlation
MST 1 and 2-----	Junior division.
MST 3 and 4-----	Basic course senior division.
MST 5 and 6-----	Advanced course senior division.

(2) The military schools division program of instruction will consist of 210 hours of military training for each academic year of which 157 hours are mandatory as prescribed in the appropriate Army Training Program. Students who complete the military schools division training and continue their college education in pursuance of a degree will attend ROTC camp between their junior and senior academic years in college.

(c) *Junior division.* The junior division provides a 3-year course of instruction consisting of 3 hours of military training (MT) a week as prescribed in the appropriate Army Training Program, and is conducted at HS institutions during the last 3 academic years.

§ 562.28 *Acceleration and compression of courses.* (a) The term "academic year" as used in this paragraph will be defined for the Department of Military Science and Tactics on the same basis as the academic departments of the institution concerned; that is, when the institution operates on an accelerated basis with regard to all or part of its students with such accelerated basis allowing more than 2 semesters or three quarters of academic work to be completed in 1 calendar year, those students who are completing their academic work in this accelerated basis will be permitted to progress in their military courses at the same rate, subject to the following conditions:

(1) The arrangements must be approved by the institutional authorities and the army commander.

(2) No reduction in the scope or content of the ROTC course will be permitted.

(b) There is no authority under the law to compress the basic course into less than 2 academic years. Under exceptional circumstances army commanders may authorize a compression of the advanced course for a student who is specially qualified and highly motivated provided all of the following conditions exist:

(1) Student will be eligible for graduation from the institution before he can complete the advanced course in the normal manner.

(2) Student agrees to complete all prescribed subjects of advanced course program of instruction without reduction in scope or content, and subject to written examination in all subjects.

(3) Student agrees to attend the prescribed ROTC camp.

(4) Professor of military science and tactics believes the student possesses exceptional aptitude and has the capacity to complete the course in the time available.

(5) Student successfully completes appropriate screening tests.

(c) A student who is authorized to compress the ROTC program by enrolling in MS II and pursuing MS III concurrently during his junior academic year will be subject to the following conditions:

(1) During the year of concurrent training, the student will not be paid commutation of subsistence; will wear the uniform provided the basic course students; and will be carried on the rolls as an MS II student.

(2) Upon completion of his junior academic year and MS II and III, the student will be permitted to sign a contract and be enrolled in the advanced course; be issued a uniform prescribed for advanced course students or authorized commutation in lieu thereof; and receive commutation of subsistence.

(d) A student who is authorized compression of MS III and IV during his senior year will be carried on the rolls as an MS IV student, and he will be paid commutation of subsistence and authorized a uniform or commutation in lieu thereof.

(e) The granting of authority for compression of the advanced course will not be construed as a waiver for any conditions of noneligibility which would preclude enrollment in the course or which would preclude appointment as a commissioned officer in a component of the Army.

(f) A compression of the course will not be authorized in the case of a student eligible for enrollment in the advanced course 2 or more years prior to the date of his graduation from the institution.

(g) Upon approval of the professor of military science and tactics and head of the institution, compression of courses within the military schools division is authorized as prescribed in Army Training Programs for students with advanced academic standing. Where compression is authorized, the student will be en-

rolled in the lower class and will be so reported on enrollment reports.

§ 562.29 *Enrollment obligation and course duration.* (a) A student who enrolls in the senior division ROTC courses does so for 2 years at a time. The first enrollment is for the 2-year basic course, after which, if the student is recommended for further training, he may be enrolled in the advanced course subject to quota limitations. A student who enrolls in the military schools division courses does so for 2 years at a time. The first enrollment is for MST 1 and 2 course, and upon successful completion of that, he may be enrolled in MST 2 and 4 courses subject to quota limitations. After successful completion of MST 3 and 4 course, if the student is recommended for further training, he may be enrolled in MST 5 and 6 course subject to quota limitations.

(b) A student who enrolls in either the basic or advanced course will complete that course as a requirement for his academic graduation, unless relieved of this obligation by regulations prescribed by the Secretary of the Army. Under the provisions of the contract between the institution and the Department of the Army (DA Form 918), the institution agrees to require that each student who enrolls in either the basic or advanced course will complete that course as a prerequisite for his graduation. Upon enrollment in the advanced course, the student also enters into a contractual obligation to continue in the ROTC for the remainder of his course at the school. A student who enrolls in either MST 3 and 4 course or MST 5 and 6 course will complete that course as a requirement for his academic graduation, unless relieved of this requirement by regulations prescribed by the Secretary of the Army. Upon enrollment in MST 5 and 6 course, the student also enters into a contractual obligation to continue in the ROTC for the remainder of his course at the school.

(c) The election of ROTC courses by the student as stated in paragraph (a) of this section is valid. However, signing of an ROTC deferment agreement obligates the student to elect enrollment in the advanced course, if he is selected therefor.

§ 562.30 *Admission to advanced course.* When a member of the senior division ROTC has completed the basic course or received credit therefor and has been selected by the professor of military science and tactics and the head of the institution for advanced training, he may, if otherwise qualified, be admitted to the advanced course within limits of the enrollment quota allotted to the institution. Enrollment in the advanced course normally will take place when the student begins his junior college year.

(a) Upon concurrence of the head of the institution, the professor of military science and tactics may defer enrollment in the advanced course in the case of a student who, at the time of becoming eligible for enrollment in the advanced course, normally will require more than 2 years to complete his academic course. Similarly, he may authorize postponement of an unexecuted portion of an ad-

vanced course contract in the case of a student who would otherwise complete the advanced course prior to his academic graduation. Such postponement will extend only until the beginning of the period which will permit the student to complete the advanced course without curtailment of the course, or its compression into a period of less than 2 academic years. A student who has been granted a postponement must apply for enrollment in sufficient time to complete the course without curtailment. Enrollments which would cause curtailment will not be accepted.

(b) No portion of the ROTC program of instruction other than ROTC camp will be postponed beyond the date of graduation from the academic course which the student is pursuing. A student in a graduate or professional course who completed the basic course as an undergraduate or has received appropriate credit therefor may be enrolled in the advanced course any time prior to the beginning of the last 2 years of his graduate course.

§ 562.31 *Contracts and emoluments—*

(a) *Contracts—(1) Junior division.* No contract will be executed between the Government and a student enrolling in the junior division ROTC.

(2) *Military schools division.* No contract will be executed between the Government and a student who enrolls in the military schools division until he is enrolled in MST 5. DA Form 597 (Advanced Course Students Contract) (which superseded DD Form 148), must be properly executed by the student, the professor of military science and tactics, and the head of the institution before the student may be enrolled in MST 5 and become eligible to receive commutation of subsistence. In signing DA Form 597, the student agrees to the provisions of the contract. A member of MST 5 and 6 course is also required to execute an ROTC Deferment Agreement if selected for deferment from induction under the provisions of the Universal Military Training and Service Act, as amended.

(3) *Basic course, senior division.* No contract will be executed between the Government and a student enrolling in the basic course, except the ROTC Deferment Agreement executed by a basic course student when selected for deferment from induction under the provisions of the Universal Military Training and Service Act, as amended. In signing this agreement, the student, in consideration of deferment from induction to complete his course of study agrees, if selected, to enroll in the advanced course at the proper time, to accept a commission upon completion of requirements therefor, if tendered, and to serve 2 years on active duty, if ordered by the Secretary of the Army.

(4) *Advanced course, senior division.* DA Form 597 must be executed properly by the student, the professor of military science and tactics, and the head of the institution before the student may be enrolled in the advanced course and become eligible to receive commutation of subsistence. DA Form 597 will be available through normal supply channels on

or about 16 September 1955. In signing DA Form 597, the student agrees:

(i) To continue in the ROTC at the remainder of his course at the institution in which enrolled.

(ii) To devote a minimum of 5 hours a week to the military training prescribed by the Secretary of the Army.

(iii) To pursue the course in camp training prescribed by the Secretary of the Army.

(iv) To accept appointment as a Reserve or Regular officer of the Army if such appointment is tendered.

(v) Subject to order of the Secretary of the Army, and if commissioned at the time of graduation, to serve on active duty as a commissioned officer in the Army for not less than 2 consecutive years, unless sooner relieved of this obligation or discharged under regulations prescribed by the Secretary of the Army.

(vi) That his fulfillment at the proper time of all obligations specified in the contract is a prerequisite for his graduation from the institution, unless he is relieved of these obligations under regulations prescribed by the Secretary of the Army.

(vii) That this agreement continues in full force and effect in the event the student transfers to another institution. The student agrees to apply for enrollment in the advanced course Army ROTC at the new institution if a unit is maintained thereat.

(b) *Emoluments.* (1) A student enrolled in the ROTC under contract will be paid a monetary allowance in lieu of subsistence monthly at a daily rate specified by the Secretary of the Army for a total period not in excess of 595 days for any one student.

(2) An enrolled student who attends an ROTC camp will receive transportation or travel allowances and will be paid at the rate prescribed for soldiers of grade E-1 with less than 4 months' active military service.

§ 562.32 *Placement for previous military training.* (a) Placement consists of assigning students who have had previous military training or service to advanced classes in ROTC in accordance with their knowledge of military subjects.

(b) The professor of military science and tactics of the receiving ROTC unit will determine the placement acceptable to the Army for each student requesting same. Whether or not placement is granted and the amount thereof is the prerogative of the institution. It will not, however, exceed that determined acceptable to the Army or the limitations imposed by paragraph (e) of this section. Placement examinations (oral, practical, or written) may be used at the discretion of the professor of military science and tactics.

(c) Placement will not be exercised indiscriminately. Each case will be judged individually so that the best interests of both the student and the service will be achieved.

(d) The Department of the Army policy is that placement will be granted for substantially equivalent training. To deny placement for such training

results in repetitive instruction wasteful of the student's time and Army effort. On the other hand placement in excess of that justified has an adverse

effect upon successful completion of the course.

(e) The following limitations for placement are established:

Previous training	Credit for placement		
	Senior division	Military science division	Junior division
Active service in United States Army, Navy, Air Force, Marine Corps, or Coast Guard:			
12 months or more.....	MS I and I MS II.....	MT I, 2, 3 and 14.....	MT I, 2 and 13.....
6 to 12 months.....	MS I.....	MT I, 2, 3 and 14.....	None.....
Less than 6 months.....	None.....	None.....	None.....
Attendance at service academies:			
1 year.....	MS I.....	MT I, 2, 3 and 14.....	MT I, 2 and 13.....
2 years.....	MS I and I MS II.....	MT I, 2, 3 and 14.....	MT I, 2 and 13.....
3 or more years.....	MS I, II and I MS II.....	MT I, 2, 3, 4 and 14.....	MT I, 2 and 13.....
Senior ROTC Army, Navy or Air Force:			
Completion of MS I.....	MS I.....	MT I, 2 and 13.....	MT I, 2 and 13.....
Completion of basic course.....	MS I and I MS II.....	MT I, 2, 3 and 14.....	MT I, 2 and 13.....
Completion of MS II or more.....	MS I, II and I MS II.....	MT I, 2, 3, 4 and 14.....	MT I, 2 and 13.....
Military schools division ROTC:			
MS I.....	None.....	Full credit.....	MT I.....
MS I and 2.....	None.....	Full credit.....	MT I, 2 and 13.....
MS I, 2 and 3.....	None.....	Full credit.....	MT I, 2 and 13.....
MS I, 2, 3 and 4.....	None.....	Full credit.....	MT I, 2 and 13.....
MS I, 2, 3, 4 and 5.....	None.....	Full credit.....	MT I, 2 and 13.....
Junior division ROTC:			
MT I.....	None.....	None.....	Full credit.....
MT I and 2.....	None.....	None.....	Full credit.....
MT I, 2 and 3.....	None.....	None.....	Full credit.....
See training:			
MS I.....	None.....	None.....	MT I.....
MS I and 2.....	None.....	None.....	MT I and 12.....
MS I, 2 and 3.....	None.....	None.....	MT I, 2 and 13.....

¹ If conducted under supervision of professor of military science and tactics who is an Army officer (Reserve or Retired).

(f) Training completed more than 5 years prior to enrollment or training received when student was less than 14 years of age will not be considered for placement.

§ 562.33 *Interservice transfer of ROTC students.* (a) A student may transfer at his own request between the Air Force and Army ROTC under the following conditions:

(1) A student may transfer between the Army and Air Force ROTC at any time prior to admission to the advanced course with the approval of the professor of military science and tactics and the professor of air science (PAS) concerned.

(2) An advanced course student who is under contract with the Army or Air Force must obtain the approval of the proper authorities of the service with which his contract was made before the contract may be terminated and request for transfer to an ROTC unit of another service is approved. The proper authorities for approval of termination of contracts in connection with such request for transfer are as follows:

(i) *Army ROTC student.* Approval must be obtained from the professor of military science and tactics and the army commander.

(ii) *Air Force ROTC student.* Approval must be obtained from the professor of air science and the air force commander.

(3) In all instances transfers will be limited to exceptional cases. The professor of military science and tactics, after careful consideration of the effect such transfers will have on enrollment quotas and existing Army-Air Force policies, will approve only those requests for transfer to the Army ROTC when it has been determined that the student concerned will complete the entire program of instruction which, in the case of

advanced course students, will include ROTC camp. Placement may be granted for that part of the course except ROTC camp which the student successfully completed in the Air Force ROTC. (§ 562.32).

(4) A request for interservice ROTC transfer should contain an indorsement from the officer in charge of the unit to which transfer is being requested, indicating tentative approval of transfer, contingent upon approval of the proper authorities of the service from which the student is requesting transfer.

(b) Discharge of a student for the purpose of accomplishing a transfer under the provisions of this section will be for the convenience of the Government. Reimbursement by the student of funds paid under the old contract will not be required.

(c) Transfers between Naval ROTC and Army ROTC are not authorized.

§ 562.34 *Hours of instruction.*—(a) *General.* An "hour" in the program of instruction represents the customary academic hour of 50 minutes.

(b) *Hours required.* The minimum number of hours of ROTC instruction required to be given during the academic year is as follows (time spent in preparation for instruction will not be counted in satisfaction of this requirement)

Course	Hours of instruction	
	Week	Year
Advanced course.....	5	170
Basic course.....	5	170
MT I, 2 and 14 course.....	5	170
MT I, 2 and 14 course.....	5	170
MS I and 2 course.....	5	170
Junior ROTC (MT I, 2 and 13).....	5	170

¹ 1949 program (or 1949 program) approved by the M.A. Council, of which 1.7 hours are in Army.

(c) *Distribution.* With the approval of the army commander, the required hours of instruction may be redistributed throughout the year in accordance with the conditions existing at the particular institution.

§ 562.35 *Courses of instruction.* Subjects and outlines of courses of study for ROTC training are prescribed by the Department of the Army and are published in the 145-series of the Army Training Programs of instruction.

§ 562.36 *Academic credit.* (a) Academic credit toward the granting of a degree should be granted for the completion of military courses on the same basis as for nonmilitary courses of the same academic level.

(b) Credit in ROTC courses for instruction received in the nonmilitary departments of the institution will be limited to that currently authorized by the Department of the Army.

§ 562.37 *Absence from instruction.* (a) Absence from training or instruction will be excused only for sickness, injury, or other exceptional reasons. A student who is absent from any part of the practical or theoretical instruction will be required, according to the practice at the particular institution, to make up the instruction missed before being credited with completion of either the basic course, advanced course, or MST 3, 4, 5, and 6 courses.

(b) For each unauthorized absence from ROTC training of an ROTC student under contract, commutation will be deducted from the student's allowance as prescribed in pertinent Army regulations.

§ 562.38 *Military training certificates.* A military training certificate, indicating the portion of ROTC training successfully completed will be given to each student upon termination of ROTC training, except a student who is immediately commissioned upon completion of ROTC instruction. See § 562.1 to 562.9.

(a) *DA Form 136 (Military Training Certificate-Reserve Officers' Training Corps)* will be given to a student who successfully completes the military schools division ROTC and 2 years of undergraduate study at a class MJC institution.

(b) *DA Form 134 (Military Training Certificate-Reserve Officers' Training Corps)* will be issued to a student who successfully completes any portion of the junior division, senior division, or military schools division ROTC except as stated in paragraph (a) of this section.

§ 562.39 *Grading.* A system of grading similar to that used in other departments of the institution will be utilized by the Department of Military Science and Tactics.

§ 562.40 *Bands.* (a) Participation in authorized ROTC bands is limited to regularly enrolled ROTC students, except that army commanders may, at their discretion, waive this provision to allow other students of the institution to participate in the ROTC band. Students other than those regularly enrolled

in the ROTC cannot be issued uniforms or commutation therefor, although they may be allowed to participate in ROTC band activities.

(b) ROTC students who are members of ROTC bands may be excused from drill periods or military ceremonies only when the band participates in such training periods or ceremonies as a military unit.

[SEAL] JOHN A. KLEIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 55-7750; Filed, Sept. 26, 1955;
8:45 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 28—COTTON STANDARDS

SUBPART E—COTTON FIBER AND SPINNING TESTS

PRESCRIBED FEES

Correction

In Federal Register Document 55-7631, published at page 7067 in the issue for Wednesday, September 21, 1955, the following changes should be made in the list of fees:

1. In the second entry under item 29.5 the fee, now reading "3.75" should read "2.25"

2. In the second entry under item 29.6 the fee, now reading "4.00" should read "3.75"

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

PART 964—DRIED FIGS PRODUCED IN CALIFORNIA

ADMINISTRATIVE RULES AND PROCEDURES

Pursuant to Marketing Agreement No. 123 and Order No. 64 (20 F. R. 1685) regulating the handling of dried figs produced in California, hereinafter referred to as the "order," effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and after consideration of the recommendation of, and information supplied by, the Dried Fig Administrative Committee, the administrative agency for program operations, it is hereby found and determined that the administrative rules and procedures hereinafter set forth are consistent with the provisions of the order and are necessary to accomplish the purposes of the act and the efficient administration of the order.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule making, or postpone the establishment of the aforesaid administrative rules and procedures until 30 days, or any lesser period, after

publication thereof in the FEDERAL REGISTER (see section 4 of the administrative procedure act; 5 U. S. C. 1001 et seq.) because: (1) Dried figs are now being acquired by handlers from producers and dehydrators under the provisions of the order, and all of the dried figs so acquired should be handled in conformity with rules and procedures issued pursuant thereto; (2) the possibility that this action would be taken is already well known in the dried fig industry, including producers and handlers, who are represented on the Dried Fig Administrative Committee; and (3) this action will require no advance preparation by dried fig handlers. It is imperative that this action be made effective as soon as possible and not later than the date on which the administrative rules and procedures are published in the FEDERAL REGISTER.

Therefore: *It is hereby ordered*, That the aforesaid administrative rules and procedures shall be as follows:

DEFINITIONS

Sec.	
964.101	Order.
964.102	Committee.
964.103	Terms in the order.
964.104	Passable dried figs.
964.105	Marketable dried figs.
964.106	Lot
964.107	Gross sample.
964.108	Test sample.
964.109	Sliced dried figs.
964.110	Secondary certificate.
964.111	Inspection certificate.

QUALITY CONTROL

964.150	Receiving of natural condition dried figs by handlers.
964.151	Disposition of dried figs by handlers.

REPORTS AND RECORDS

964.160	Reports of inventories, acquisitions and dispositions of dried figs.
964.162	Reports of prices.
964.163	Other reports.
964.165	Records.

AUTHORITY: §§ 964.101 to 964.105 issued under sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c.

DEFINITIONS

§ 964.101 *Order* "Order" means Marketing Agreement No. 123 and Order No. 64 (20 F. R. 1685) regulating the handling of dried figs produced in California, or as they may be amended hereafter.

§ 964.102 *Committee.* "Committee" means the Dried Fig Administrative Committee established pursuant to § 964.20.

§ 964.103 *Terms in the order* Terms defined in the order shall have the meanings of such definitions when used in this subpart.

§ 964.104 *Passable dried figs.* "Passable dried figs" means a lot of natural condition dried figs which has been certificated as meeting the then applicable minimum standards of quality for natural condition dried figs prescribed pursuant to § 964.50.

§ 964.105 *Marketable dried figs.* "Marketable dried figs" means any dried figs which have been certificated as

meeting the then applicable minimum standards of quality prescribed for dried figs for shipment or other final disposition pursuant to § 964.51.

§ 964.106 *Lot*. Except as prescribed in § 964.150 (b) (2) "lot" means that quantity of natural condition dried figs contained in a single delivery of natural condition dried figs by a producer to a handler, but shall not exceed a total of approximately 60,000 pounds, which for purposes of this subpart is presumed to be the equivalent of 400 sweat boxes, 675 sacks or baby sweat boxes, or 1,200 picking boxes, lugs or similar containers. Any quantity offered or delivered in a single delivery in excess of such number and kind of containers shall be segregated for sampling, inspection, and certification purposes into such number of lots as the committee may designate. Several small deliveries during a calendar day by the same producer and not exceeding 2,000 pounds total weight, may be considered as a single delivery for the purposes of sampling and inspection and the over-all weight of the combined delivery may be used in determining the number of samples to be selected for inspection.

§ 964.107 *Gross sample*. "Gross sample" means:

(a) In the case of natural condition dried figs or processed dried figs other than sliced dried figs, a quantity of dried figs drawn from a unit or lot in a sufficient quantity to be representative thereof, and from which the test samples are to be drawn; and

(d) In the case of sliced dried figs, a quantity drawn from a unit in a sufficient quantity to be representative thereof and which shall be wholly composed of material which is readily separable into pieces of dried figs which are in such condition as will permit proper inspection.

§ 964.108 *Test sample*. "Test sample" (natural condition or processed dried figs) means a sample of 100 dried figs or 100 separate pieces of sliced dried figs drawn from a gross sample.

§ 964.109 *Sliced dried figs*. "Sliced dried figs" means dried figs which have been sliced into two or more separate pieces by mechanical or other means. Such figs shall be sliced once only, and blades of the slicer shall be not less than one-fourth inch apart.

§ 964.110 *Secondary certificate*. "Secondary certificate" means the inspection certificate issued by the inspection agency pursuant to § 964.50 (d) on a passable lot of natural condition dried figs acquired by a handler from a producer.

§ 964.111 *Inspection certificate*. "Inspection certificate" means the inspection certificate issued to a handler pursuant to § 964.51 (d) on a quantity of dried figs, sliced dried figs, including dried figs or sliced dried figs for the manufacture of fig paste, inspected during or after any processing thereof and prior to shipment to signify that such figs or paste are marketable.

QUALITY CONTROL

§ 964.150 *Receiving of natural condition dried figs by handlers*—(a) *General*.

(1) A handler may receive for inspection purposes any lot of natural condition dried figs containing dried figs which have been bird-pecked, dried figs which have become split in the process of growing, or dried figs which have become slabby or broken in the process of drying: *Provided*, That such slabby dried figs may be separated and identified as individual specimens of dried figs. If, upon inspection of the entire lot, the dried figs meet the then applicable minimum standards of quality prescribed pursuant to § 964.50, the handler may acquire such lot. Natural condition dried figs which do not meet the then applicable minimum standards for acquisition by a handler may not be acquired by him, but shall be rejected and released to the custody of the Dried Fig Advisory Board, the administrative agency for the California Marketing Order for Dried Figs.

(2) Prior to receiving any lot of natural condition dried figs (including several small deliveries by one producer in one calendar day, to be treated as one lot) the handler shall notify the committee of the expected delivery or deliveries, and shall arrange for such time of delivery that an authorized representative of the committee or the inspection agency may be available at said handler's plant when the delivery is made.

(3) Lots of dried figs shall be received by handlers only between the hours of 7:00 a. m. and 6:00 p. m. No deliveries shall be received at night or on Sundays or legal holidays.

(4) In order to supervise properly the movement of natural condition dried figs into handlers' plants, and the movement of processed or partly processed dried figs which are placed in the current of commerce, any person who operates in the dual capacity of a producer and handler shall keep his handler operations completely and physically separated from his producer operations, such as for drying or storage. Such physical separation shall be subject to examination by, and approval or disapproval of, the committee.

(b) *Sampling*. (1) At the time any lot of natural condition dried figs is offered for inspection, a duly authorized representative of the committee or the inspection agency shall mark at random certain individual containers in the lot, but in no instance shall less than 20 percent of the containers be marked, and a gross sample shall be obtained from such marked containers.

(2) In the event the natural condition dried figs in any portion of a lot are substantially different in appearance, condition, or quality from the appearance, condition, or quality of the balance of the dried figs in the lot, such portion shall be set apart and considered as a separate lot, and shall be sampled and inspected separately.

(3) Except in unusual circumstances making it impracticable to do so, the sampling of each lot shall be completed before sampling another lot.

(4) Upon a showing by any interested party that samples of a lot have been drawn improperly, the committee shall cause additional samples to be drawn in

conformity with the procedure prescribed in this paragraph and to have such samples inspected by the authorized inspection agency. The results of such resampling and inspection shall be final and conclusive in determining the obligations of the parties under this part.

(5) The committee shall refuse to authorize the sampling of any lot of natural condition dried figs delivered or offered for inspection, the dried figs of which are in such "slabby" or "matted" condition that sampling cannot be performed in the prescribed manner and inspectors are unable to separate, identify and classify individual specimens of dried figs. Such a lot shall be rejected and released to the custody of the Dried Fig Advisory Board, the administrative agency for the California Marketing Order for Dried Figs.

(c) *Inspection*. (1) The gross sample of natural condition dried figs from a lot received for incoming inspection shall be inspected in appropriate test samples by the inspection agency. Such inspection shall be made on the basis of the defects described in § 964.90 and shall be for the purpose of determining whether the then applicable minimum standards prescribed pursuant to § 964.50 have been met.

(2) Each variety of natural condition dried figs in a test sample containing more than one variety of dried figs shall be inspected separately. In the event that the dried figs of any one variety therein shall fail to meet the then applicable minimum standards for acquisition of natural condition dried figs, the entire lot shall be rejected.

(3) Tray dried and natural Kadota dried figs shall be inspected separately under the same conditions as in the preceding paragraph.

(4) First crop and second crop dried figs of all varieties shall be inspected separately in every case where a test sample of second crop dried figs contains over five percent of first crop figs or vice versa. In the event the dried figs of either crop therein fail to meet the minimum standards for acquisition of natural condition dried figs the entire lot shall be rejected.

(d) *Certification*. (1) A secondary certificate shall be issued only on a lot which meets the then applicable minimum standards for acquisition prescribed pursuant to § 964.50.

(2) In any case where an inspection is made of both tray dried and natural Kadota dried figs in a sample, or of first and second crop dried figs in a sample, the certification shall be made on the basis of the lower inspection result.

(3) No lot of dried figs which has been certificated as passable shall be commingled with any natural condition dried figs which have not been certificated as passable dried figs.

(4) No lot of passable dried figs acquired by a handler shall be returned or transferred to any producer: *Provided*, That, upon authorization by the committee and under its seal and supervision, such dried figs may be stored by a handler on that part of a producer's premises for which such handler has made arrangements for the storage of his dried figs.

§ 964.151 *Disposition of dried figs by handlers*—(a) *General*. No handler shall complete the preparation of processed dried figs for market as whole or sliced dried figs without inspection by the authorized inspection agency or market such processed dried figs if they have not been certificated by such agency as meeting the then applicable minimum standards for processed dried figs, and no handler shall begin the preparation of fig paste or other dried fig product manufactured from processed dried figs unless such dried figs have been so inspected and certificated in whole or sliced form. No handler shall complete the preparation for market of processed dried figs which exceed the maximum tolerances for dried figs for shipment or other final disposition as prescribed in § 964.90 (c).

(b) *Sampling*. Before a handler completes the preparation of dried figs for market as processed whole or sliced dried figs, or before he begins the preparation of fig paste or other dried fig product from such dried figs, they shall be made available to the inspection agency for sampling. No dried figs shall be sampled which have not been cleaned and washed thoroughly.

(c) *Inspection*. (1) Units of dried figs containing blends, of varieties or otherwise, shall be sampled and inspected in the same manner as units containing one variety.

(2) Any dried figs, except dried figs of the Black Mission variety, which are to be prepared for market by processing which includes bleaching, whether as bulk, pulled, bricks, or sliced dried figs, or as fig paste, shall be inspected prior to bleaching. Any dried figs so prepared shall be reinspected and recertificated in accordance with provisions of this section prior to marketing or shipping.

(3) The inspection of any dried figs of the Adriatic variety or any blend containing the Adriatic variety, being prepared as fig paste or sliced dried figs, shall include head count tests for insects.

(4) If, after certification of a quantity of dried figs, sliced dried figs or fig paste, it continues to remain in the handler's plant under conditions or for such an extended period of time as might cause the quality thereof to deteriorate materially from that indicated by the original certification, a reinspection and recertification of the quantity may be required by the committee to verify the marketable quality at time of final preparation for shipment in market channels. If, upon reinspection, the quantity is found no longer to meet the applicable minimum standards for dried figs, the original certificate shall be withdrawn and marks indicating original certification shall be obliterated from the containers and the quantity shall be rejected.

(5) Rejected quantities shall be released to the handler for appropriate and permissible disposition. If reprocessed, the identity of each such quantity should be maintained and such quantity shall be reprocessed only under the supervision of the committee.

(d) *Certification and case marking*. (1) An inspection certificate shall be is-

sued only on dried figs or sliced dried figs (including those used in the manufacture of fig paste) which meet the applicable minimum standards for dried figs for shipment or other final disposition prescribed in § 964.51.

(2) All shipping containers in which units of dried figs, sliced dried figs or fig paste which have been certificated pursuant to subparagraph (1) of this paragraph have been packed shall be stamped with an official committee stamp indicating that they meet the applicable prescribed minimum standards.

(3) Dried figs destined for export (except to Canada) outside of the continental limits of the United States and its possessions and territories are exempt from the inspection and certification requirements prescribed in this part. However, handlers preparing dried figs or dried fig products for such export markets shall observe the following procedures:

(i) A handler shall file written intention with the committee, on a form furnished by the committee, through the authorized inspection agency's inspector-in-charge at the processing plant where such dried figs are being prepared for export, to package and/or case dried figs or dried fig products for export. Such written intention shall show the variety of the dried figs, the type of packed product, the number of containers, the total net weight of the product and the destination of the shipment.

(ii) A designated representative of the authorized inspection agency must be present during such packaging and/or casing and shall personally stamp each case with an official stamp worded "Export". *Provided*, That quantities being prepared for export shipment pursuant to price support programs or comparable programs of the United States shall not be subject to the requirements of this subdivision.

(iii) A handler making an export shipment shall mail to the committee a copy of the rail or water bill of lading when actual shipment is made: *Provided*, That quantities being prepared for export shipment pursuant to price support programs or comparable programs of the United States shall not be subject to the requirements of this subdivision.

(iv) Handlers shall keep dried figs or dried fig products prepared for export shipment completely segregated from other dried figs or dried fig products.

(e) *Inter-handler and inter-plant transfers*. (1) Any handler desiring to effect an inter-handler transfer of dried figs as provided in § 964.51 (e) (1) shall notify the committee of his intention to make such transfer in sufficient time to permit the committee to supervise such transfer. The notice of intended transfer shall contain the following information:

(i) Date and time of transfer.

(ii) Names and addresses of the handlers and locations of the plants; and

(iii) The number of containers and total net weight of the dried figs.

(2) Transfers of dried figs between plants owned or operated by the same processor are permitted without inspec-

tion and without reporting the same to the committee.

REPORTS AND RECORDS

§ 964.160 *Reports of inventories, acquisitions and dispositions of dried figs*. (a) Each handler shall submit to the committee a report on or before the 15th day of August of each year for the previous six months' period ending July 31, on or before the 15th day of February of each year for the previous six months' period ending January 31, and at such other times and such other periods as the committee may require, showing the following:

(1) The quantities of natural condition dried figs, by varieties, and processed dried figs, by varieties and types of packs, held by him at the beginning of the period covered by the report;

(2) the quantities of dried figs, by varieties, received by him during the period covered by the report;

(3) the quantities of dried figs, by varieties and types of packs, shipped or disposed of by him during the period covered by the report; and

(4) the quantities of natural condition dried figs, by varieties, and processed dried figs, by varieties and types of packs, held by him at the end of the period covered by the report.

§ 964.162 *Reports of prices*. Each handler shall submit to the committee a report, on or before the 15th day of August of each year for the previous six months' period ending July 31, on or before the 15th day of February of each year for the previous six months' period ending January 31, and at such other times and for such other periods as the committee may require, showing (a) the weighted average price paid to producers for each variety of natural condition dried figs purchased, which price should be computed on the basis of net payments per pound to producers for the previous six months; and (b) the weighted average f. o. b. shipping point prices received from sales of processed dried figs computed on the basis of sales returns for the previous six months, for each pack and variety sold.

§ 964.163 *Other reports*—(a) *Reports covering disposition of defective dried figs*. Upon request of the committee, a handler shall file with the committee, within 10 calendar days thereafter, a certified report of his dispositions of defective dried figs, covering such period as the committee may specify, containing the following information:

(1) Date, name and address of the handler and the period covered by the report; and

(2) The quantities of defective dried figs, including any dried figs acquired by him which failed to meet the quality standards for shipment or final disposition of dried figs, which were disposed of or marketed by him and the respective disposition outlets.

§ 964.165 *Records*. Each handler shall, for a period of not less than two years after the end of the crop year to which such records apply, maintain records reflecting his operations with respect to dried figs, and upon request

shall make such information available to the Secretary or the committee.

Issued at Washington, D. C., this 22d day of September 1955, to become effective on the date on which this order is published in the FEDERAL REGISTER.

[SEAL] F. R. BURKE,
Acting Deputy Administrator

[F. R. Doc. 55-7795; Filed, Sept. 26, 1955;
8:52 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter F—Alaska Commercial Fisheries

PART 117—SOUTHEASTERN ALASKA AREA,
ICY STRAIT DISTRICT, SALMON FISHERIES

PART 118—SOUTHEASTERN ALASKA AREA,
WESTERN DISTRICT, SALMON FISHERIES

PART 119—SOUTHEASTERN ALASKA AREA,
EASTERN DISTRICT, SALMON FISHERIES

PART 123—SOUTHEASTERN ALASKA AREA,
SOUTH PRINCE OF WALES ISLAND DISTRICT,
SALMON FISHERIES

MISCELLANEOUS AMENDMENTS

Basis and purpose. On the basis of extremely poor catches on the opening day of the fall chum salmon season in Southeastern Alaska, it has been determined that further fishing is not warranted.

Therefore, for the 1955 season only—

1. Sections 117.3 (b) 118.6, and 119.3 (b) are amended in text by deleting the proviso.

2. Section 123.3 is amended in text by deleting the following words from the proviso: "nor to fishing for chum salmon in the waters of Klawak Inlet from 6 o'clock antemeridian September 24 to 6 o'clock postmeridian October 1."

(Sec. 1, 43 Stat. 464, as amended; 48 U. S. C. 221)

These amendments shall be effective at 6 o'clock postmeridian September 27, 1955.

Since immediate action is necessary, notice and public procedure on this amendment are impracticable (60 Stat. 237; 5 U. S. C. 1001 et seq.)

JOHN L. FARLEY,
Director.

SEPTEMBER 26, 1955.

[F. R. Doc. 55-7870; Filed, Sept. 26, 1955;
12:01 p. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 25—FEDERAL EMPLOYEES' PAY REGULATIONS

LONGEVITY STEP INCREASE

Effective on the first day of the first pay period which began after February 28, 1955, § 25.52 (b) Subpart A, is amended as set out below.

§ 25.52 *Definitions.* * * *

(b) Longevity step increase is a step increase above the maximum scheduled rate of the grade equal to a full step of

the grade or an increase in an amount required to complete a full step where the employee's existing rate of basic compensation is not a standard maximum or longevity rate for the grade in which the employee's position is placed.

(Sec. 1101, 63 Stat. 971; 5 U. S. C. 1072)

UNITED STATES CIVIL SERVICE
COMMISSION,

[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 55-7788; Filed, Sept. 26, 1955;
8:51 a. m.]

PART 37—GROUP LIFE INSURANCE

RETIRED EMPLOYEES

Effective upon the respective dates prescribed by or fixed pursuant to paragraph (a) of § 37.3, paragraphs (a) and (c) of § 37.7 are amended as set out below—

§ 37.7 *Retired employees.* (a) To be eligible for life insurance as a retired employee, an insured employee must be entitled to immediate annuity under a system legally established for the retirement of civilian employees of the Federal or District of Columbia Governments, must have had at least 15 years of creditable service or be retired for disability, and must have met all requirements for annuity (including filing of application where necessary), whether or not final administrative action has been taken.

(c) Creditable service is (1) civilian service allowable under the provisions of section 5 of the Civil Service Retirement Act of May 29, 1930, as amended, and (2) if the individual at retirement has at least five years of such civilian service, honorable active service performed as a commissioned officer or enlisted man in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States.

(Sec. 11, 68 Stat. 742; 5 U. S. C. 2100)

UNITED STATES CIVIL SERVICE
COMMISSION,

[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 55-7789; Filed, Sept. 26, 1955;
8:51 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix C—Public Land Orders

[Public Land Order 1225]

[Misc. 63469]

NEBRASKA

REVOKING EXECUTIVE ORDER NO. 2245-B OF SEPTEMBER 14, 1915, WHICH RESERVED LANDS FOR USE OF THE FOREST SERVICE AS THE RESERVOIR HILL ADMINISTRATIVE SITE

By virtue of the authority vested in the President by Section 1 of the act of June

25, 1910 (36 Stat. 847; 43 U. S. C. 141) and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Executive Order No. 2245-B of September 14, 1915, temporarily withdrawing the following-described tract in Nebraska for use of the Forest Service, Department of Agriculture, as the Reservoir Hill Administrative Site, is hereby revoked:

SIXTH PRINCIPAL MERIDIAN

T. 33 N., R. 32 W.,
Sec. 31, lot 1.

The tract described contains 39.26 acres.

The tract is withdrawn for reclamation purposes and is, therefore, not subject to the provisions of the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284) as amended, granting preference rights to veterans of World War II, the Korean Conflict, and others.

FRED G. AANDAH,
Assistant Secretary of the Interior.

SEPTEMBER 21, 1955.

[F. R. Doc. 55-7753; Filed, Sept. 26, 1955;
8:45 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amtd. 134]

PART 603—RESTRICTED AREAS

ALTERATIONS

The restricted area alteration appearing hereinafter has been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Panel, and is adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedure, and effective date provisions of section 4 of the Administrative Procedure Act is not required.

Part 603 is amended as follows:

In § 603.18, the Banana River, Florida, area (R-162 formerly D-162) amended on January 8, 1952 in 17 F. R. 191, is further amended by changing the "Designated altitudes" column to read: "Unlimited excluding that portion overlapping the Orlando control area above 14,000 feet MSL"

(Sec. 205, 52 Stat. 824, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1057, as amended; 49 U. S. C. 551)

This amendment shall become effective on October 6, 1955.

[SEAL] F. E. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 55-7751; Filed, Sept. 26, 1955;
8:45 a. m.]

[Amdt 162]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURE S

PROCEDURE ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter are adopted to become effective when indicated in order to promote safety compliance with the notice procedures and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 609 is amended as follows:

NOTE: Where the general classification (LFR VAR ADF ILS GCA or VOR) location and procedure number (if any) of any procedure in the amendments which follow, are identical with an existing procedure that procedure is to be substituted for the existing one as of the effective date given to the extent that it differs from the existing procedure; where a procedure is canceled the existing procedure is revoked; new procedures are to be placed in appropriate alphabetical sequence within the section amended.

1 The low frequency range procedures prescribed in § 609.6 are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet. MSL. Cellings are in feet above airport elevation. If an LFR instrument approach is conducted at the below named airport it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below.

City and State; airport name, elevation; facility, class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified or if landing not accomplished
1	2	3	4	5	6	7	Condition	Type aircraft		11
							75 m. p. h. or less	More than 75 m. p. h.		
HOUSTON, TEX International, 60', SBRAZ-DRV-HOU Procedure No. 1 Amendment 16 Effective: October 22, 1955 Supersedes Amendment 15 December 3, 1954 Major changes: Increase missed approach altitude Variation change	Intersection SE course HOU LFR and 040° bearing from PER Radiobeacon (final) Arcola FM Houston FM	310—5 0 039—16 0 130—9 0	700 1,400 1,300	E side of SE course: 130° outbound 310° inbound 1,200' within 10 miles. Beyond 10 miles not authorized	700	310—2 2	2 engines or less T-dn 300-1 C-dn 400-1 S-dn *30 A-dn 800-2	300-1 500-1 400-1 800-2	Within 2.2 miles climb to 1 800 on NW course within 25 miles. *590' per minute descent required at 120 miles per hour	
							More than 2 engines T-dn 200-1½ C-dn 500-1½ S-dn *30 A-dn 800-2			
HOUSTON, TEX International, 60', SBRAZ-DRV-HOU Procedure No. 2 Amendment 10 Effective: October 22, 1955 Supersedes Amendment 9 December 3, 1954 Major changes: Increases procedure turn altitude Variation change	Intersection SE course HOU LFR and 040° bearing from PER Radio beacon Arcola FM Fairbanks International (final)	310—5 0 039—16 0 130—10 0 to HOU FM	1 200 1,400 1 600	W side of NW course: 310° outbound 130° inbound 1 800' within 10 miles	1,500 over HOU FM	130—5 6	2 engines or less T-dn 300-1 C-dn 400-1 S-dn 12 A-dn 800-2	300-1 500-1 400-1 800-2	Within 5.6 miles from Houston FM climb to 1 400' on SE course within 16 miles	
							More than 2 engines T-dn 200-1½ C-dn 500-1½ S-dn 12 A-dn 800-2			

LEFT STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

City and State; airport name; elevation; facility; class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance to facility to airport	Ceiling and visibility minimums	If visual contact not established at authorized landing minimums after passing facility within distance specified or if landing not accomplished
1	2	3	4	5	6	7	8	9
TULSA, OKLA. Municipal, 674' SBRAL-1 UL Procedure No. 1 Amendment 12 Effective: October 22, 1955 Supersedes Amendment 11 dated January 20, 1954. Major change: Real. landing altitude from Ver Nads F.M. Add VOR transition. Raise altitude over facility on final approach	Verdigris River F.M. (final) Skateook F.M. Tulsa VOR	232-10 0 123-18 0 137-0 0	1,400 2,000 1,000	N side of NBE course: 052° outbound 232° inbound 2,000' within 10 miles	1,400	210-0 0	2 engines or less T-dn C-dn 300-1 400-1 200-1 More than 2 engines T-dn C-dn (*) 200 1/2 200-1 1/2 All aircraft 500 2	11 Within 0.6 mile climb to 2,100 on SW course within 25 miles. *200-1 required on runways 3L 21R, 17R, and 35L

2 The automatic direction finding procedures prescribed in § 609.8 are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and course values are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. If an ADF instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below:

City and State; airport name; elevation; facility; class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance to facility to airport	Ceiling and visibility minimums	If visual contact not established at authorized landing minimums after passing facility within distance specified or if landing not accomplished
1	2	3	4	5	6	7	8	9
TULSA, OKLA. Municipal, 674' SBRAL-1 UL Procedure No. 1 Amendment 12 Effective: October 22, 1955 Supersedes Amendment 11 dated January 20, 1954. Major change: Real. landing altitude from Ver Nads F.M. Add VOR transition. Raise altitude over facility on final approach	Verdigris River F.M. Tulsa LER Skateook F.M. Tulsa VOR	270-10 0 213-0 0 103-14 0 015-2.5	1,000 1,000 2,000 1,700	West of course: 052° outbound 171° inbound 2,000' within 10 miles	1,000	154-0 2	2 engines or less T-dn C-dn 300-1 400-1 200-1 More than 2 engines T-dn C-dn (*) 200-1 1/2 200-1 1/2 All aircraft 500 2	11 Within 0.6 mile climb to 2,100 on SW course within 25 miles. *200-1 required on runways 3L 21R, 17R and 35L

3 The very high frequency omnirange procedures prescribed in § 609 9 (a) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Callings are in feet above airport elevation. If a VOR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below

City and State; airport name, elevation; facility; class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified or if landing not accomplished
							Condition	Type aircraft		
1	2	3	4	5	6	7	8	9	10	11
HOUSTON, TEX Elevation, 60' BYOR-HOU Procedure No. 1 Amendment 1 Effective: October 22, 1955 Supersedes Amendment Original dated December 23, 1954 Major changes: Raise procedure turn altitude. Lower missed approach altitude Variation change	Houston LFR	317-20	1,200	W side of course: 300° outbound 120° inbound 1,500' within 10 miles of HOU FM	HOU FM 1,500*	From HOU FM120-56	T-dn C-dn S-dn 12	2 engines or less 300-1 400-1 400-1	300-1 500-1 400-1	Within 5.6 miles of HOU FM, climb to 1,400 on radial 134° within 16 miles. *If Houston FM not identified on final descent below 1,500' not authorized
							T-dn C-dn S-dn 12	More than 2 engines 200-1½ 300-1½ 400-1		
							A-dn	All aircraft	800-2	
PORTLAND, OREG. Portland International, 23 BYOR-DTW-PDX Procedure No. 1 Original. Effective: October 22, 1955 Supersedes VOR Procedure No. 1 Original dated July 23, 1955 (cancelled)	Sauvies Radiobeacon PDX LFR Stevenson FM Washougal Intersection Woodland FM La Center 'FM (final) La Center Intersection All fixes within 25 nautical miles of GCA station may be determined by surveillance radar	041-12 0 342-7 0 264-32 0 264-12 0 162-16 0 152-5 0 152-5 0	3,000 3,000 6,000 3,000 3,000 2,500 2,500	W side of course: 330° outbound 160° inbound 3,000' within 10 miles. Not authorized beyond 10 miles due to obstructions	2,500	161-10 5	T-dn C-dn A-dn More than 2 engines T-dn C-dn A-dn	2 engines or less 300-1 600-1 700-1 800-2 800-2	300-1 600-1 700-1 800-2	Within 10.5 miles, turn right, climbing to 3,000 on 178° radial within 15 miles of PDX-VOR. *Descent below 1,000' mean sea level not authorized until past PDX-LFR in minimum 1,000' mean sea level. **300-1 required on runways 7-25 11, 2-20. CAUTION: VOR reception not available over the airport below 450' mean sea level
TULSA, OKLA Municipal, 674' BYOR-TUL Procedure No. 1 Amendment 5 Effective: October 22, 1955 Supersedes Amendment 4 dated April 22, 1954 Major changes: Revise transition altitudes Limit procedure turn	Tulsa LFR Verdigris River FM Sklatook FM	317-6 0 262-12 0 106-13 0	1,900 1,900 2,000	W side of course: 330° outbound 160° inbound 2,000' within 10 miles. Beyond 10 miles not authorized	1,500	150-5 0	T-dn C-dn S-dn 17L More than 2 engines T-dn C-dn S-dn 17L	2 engines or less 300-1 400-1 400-1	300-1 400-1 400-1	Within 5 miles climb to 2,200' on radial 114° within 25 miles *200-1 required on runways 3L 21R 17R and 35L

STANDARD INSTRUMENT APPROACH PROCEDURE

City and State; airport name, elevation, facility, class and communication; Procedure No (TVOR); effective date	Initial approach to facility, room—	Course and distance	Minimum altitude	Procedure turn (—) side of final approach course (out bound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft)	Course and distance from runway center line extended and final approach course to approach end of run-way	Ceiling and visibility minimums			If visual contact not established at TVOR or if landing not accomplished	
							Condition	Type aircraft			
								75 m. p. h or less	More than 75 m. p. h		
1	2	3	4	5	6	7	8	9	10	11	

ULS STANDARD INSTRUMENT APPROACH PROCEDURE

[illegible]

RULES AND REGULATIONS

City and State; airport name elevation; facility; class and identification; procedure No.; effective date	Transition to ILS				Procedure turn (-) side of final approach course inbound and outbound distances limiting distances	Minimum altitude at glide slope intersection (ft)	Altitude of glide slope and distance to approach end of runway at—		Ceiling and visibility minimums			If visual contact not established upon descent to authorized landing minimums or if landing not accomplished
	From—	To—	Course and distances	Min initial turns (ft)			Outer marker	Middle marker	Condition	Typo aircraft		
										75 m.p.h. or less	More than 75 m.p.h.	
1	Houston VOR	MNU RBN	034-14 0	5	6	7	8	9	10	11	12	13
HOUSTON, TEX International 60' ILS-IHO U. Procedure No. 2 (Back course ILS localizer) Amendment 3 Effective: October 22, 1955 Supersedes Amendment 2 dated December 17, 1954 Major changes: Radio missed approach altitudeNo 2 Variation change	Houston LFR Monument Radiobeacon (final). Radar terminal area maneuvering altitude 2,000 within 20 nautical miles radius. Radar control must provide 3 nautical miles lateral and 1,000 vertical separation from 1,051 tower 10.5 nautical miles WSW	MNU RBN MNU RBN Pasadena Fix#	034-14 0 024-14 0 216-9 0	1,400 1,400 900	N side of NE course: 030° inbound 216° inbound 1 600' within 5 miles E of Monument Radiobeacon	Over MNU RBN 1 000 Pasadena Fix 900 **	No glide slope		T-dn 300-1 C-dn 400-1 S-dn 21 400-1 A-dn 800-2	2 engines or less	300-1 300-1 500-1 400-1 800-2	Climb to 1,400 on SW course HOU ILS within 15 miles or when directed by ATO turn right climb to 1,800' on NW course of HOU LFR or radial 309° within 25 miles **Except when in accordance with approved radar vectoring procedures, final approach must be initiated from Monument Radio beacon. Aircraft must be in contact with Houston Monument Radiobeacon on final. #Pasadena fix is a Houston radar (ASR) fix 4 miles NE of Houston Airport on the NE course of Houston ILS. **Descent below 900 mean sea level not authorized unless position advisory over Pasadena Fix received from Houston Radar Within 5.3 miles of Lake Tyler Intersection climb to 1,800' on NW course of ILS within 10 miles CAUTION: 1 010' radio tower and 887' radio tower 4.5 miles E of airport
TYLER, TEX Pounds Field, 644' ILS-TTYR. SE course ILS Procedure No. 2 Amendment Original. Effective: October 22, 1955	Tyler LFR Gregg County VOR Intersection NW course ILS and Gregg County Radial 269°	Lake Tyler Intersection Lake Tyler Intersection Lake Tyler Intersection	125-8 0 248-38 0 128-22 0	2 000 2 100 2 000	E side of SE course: 129° inbound 308° inbound 2,000' within 10 miles	Lake Tyler Intersection 1 600'	No glide slope Lake Tyler Intersection to Runway 31 5.3 miles		T-dn 300-1 C-dn 400-1 S-dn 31 400-1	2 engines or less	300-1 300-1 400-1	

6 The ground controlled approach procedures prescribed in § 609.13 are amended to read in part:

GOA STANDARD INSTRUMENT APPROACH PROCEDURE

Readings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Cellings are in feet above airport elevation. If a GOA instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator or Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the ground controller. From initial contact with GOA to final authorized landing minimums, the instructions of the GOA controller are mandatory except when (A) visual reference with ground is established on final approach or (B) at pilot's discretion if it appears desirable to discontinue the approach.

City and State; airport name, elevation; effective date	Radar terminal area; maneuvering altitudes by sectors and limiting distances	Ceiling and visibility minimums					Except when the ground controller may direct otherwise prior to final approach, a missed approach procedure shall be executed as provided below when (a) communication on final approach is lost for more than 5 seconds; (b) directed by ground controller; (c) visual reference is not established upon descent to the authorized landing minimums; or (d) landing is not accomplished
		Runway No	Condition	Precision approach (PAK) 75 m. p. h. or less	Surveillance approach (ASR) 75 m. p. h. or less	More than 75 m. p. h.	
1	2	3	4	5	6	7	8
HOUSTON, TEX. International, 60' Procedure No. 1 Amendment 4. Effective October 22, 1955. Sup. Notice Amendment 3, dated March 19, 1955. Major changes: Review column 2	2 000 within 6 to 20 nautical miles radius. Radar control must provide 3 nautical miles lateral or 1 000' vertical separation from 1,031' tower 10.6 nautical miles WSW	All..... 3 12 30 9 12 30 17 35 21 35 21 All	T-dn S-dn S-dn S-dn C-dn A-dn	2 engines or less	200 1 400-1 400 1 500 1 500-1 500 1 500 2	300 1 400 1 500 1 500-1 500 1 500 2	0
		All..... 3 12 30 9 12 30 17 35 21 35 21 All	T-dn S-dn S-dn S-dn C-dn A-dn	More than 2 engines		300 1/2 400 1 500 1 500-1 500 1 500 2	Climb to 2 000, stand by ahead then proceed to Houston LFR or VOR or proceed as directed by ATIS
	Aircraft on any day at our (1) Houston VORTAC may descend to 750' mean sea level from 5 mins before fix.	All runway 3 All runway 1	C-dn A-dn	All air traffic	500 1/2 500 2	500 2	

These procedures shall become effective on the dates indicated in Column 1 of the procedures

(See 295, 53 Stat 934, as amended; 49 U S C 423 Interpret or apply see 601 53 Stat 1007 as amended; 19 U S C 551)

[SEAL]

[F R Dec 55-7043; Encl, Sept 26, 1955; 8:45 a m.]

F B LEE,
Administrator of Civil Aeronautics

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 963]

[Docket No. AO-233-A3]

HANDLING OF MILK IN STARK COUNTY, OHIO, MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEP- TIONS WITH RESPECT TO PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT AND TO ORDER

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders. (7 CFR Part 900) notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Deputy Administrator, Agricultural Marketing Service, United States Department of Agriculture, with respect to a proposed marketing agreement and a proposed order amending the order regulating the handling of milk in the Stark County Ohio, marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the 5th day after publication of this decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The hearing on the record of which the proposed marketing agreement and order were formulated was conducted at Canton, Ohio, on August 29, 1955, pursuant to notice thereof which was issued on August 19, 1955 (20 F. R. 6193).

The material issue of record related to the level of the Class II price.

Findings and conclusions. The following findings and conclusions on the material issue are based upon evidence in the record:

The Class II price for the months of October and November 1955 should be established by adding 30 cents per hundredweight to the highest of the basic formula prices.

Producers proposed that more seasonal variation be introduced in the Class II price by adding 30 cents to the basic formula price in each of the months of July through November, and subtracting 8 cents in each of the months of April, May, and June. They further requested that the proposed increase be made effective on an emergency basis for the remainder of the September-November 1955 period.

There were two principal reasons advanced in support of an emergency action to increase the Class II price. One was that in early August handlers were reluctant to release producer milk, which they were using as Class II, to handlers who wished to have additional milk for their Class I use. A premium of \$1.25 per hundredweight was charged on

some of the milk which was so transferred at that time. The second and closely associated reason was an indication that the milk equivalent costs of alternative ingredients for ice cream was considerably higher than the Class II price.

The premiums were not uniform; substantial quantities of milk were transferred without premium or at a moderate handling charge during the same period when the \$1.25 premium was charged on other transfers. Also, the period when the premiums were charged was of short duration.

However, the cost of ingredients for ice cream remained high throughout August, and there are indications that it may remain so during the next few months. Cream prices per can ranged from \$28 to \$29 in early August and were still at that level at the time of the hearing. At 33.48 pounds of butterfat per can, the butterfat value was 1.46 to 1.52 times the price of 92-score butter at Chicago. This compares with the Class II butterfat value of 1.14 times the butter price and a more usual cream value of 1.20 to 1.25 times butter prices. The cost of nonfat milk solids for ice cream is not so readily computed. Fresh whole milk or skim milk can be used directly in the mix, but some more concentrated source of solids is also needed. If producer milk or skim milk is so used, it has to be concentrated and a processing cost is incurred. However, if supplies of producer milk are short and ice cream makers must buy supplementary condensed or dry solids the value of the producer milk is equal to the cost of the additional solids which, of course, includes processing charges.

Ice cream and cottage cheese are the principal Class II products manufactured by the Stark County handlers. They accounted for 65 percent of the Class II milk during July. Cottage cheese is not required to be made from inspected milk. In practice, however, the handlers make it in their own plants from producer milk.

Producer milk is in somewhat shorter supply than a year ago. In July gross Class I sales were equal to 79.2 percent of producer receipts, compared with 78.3 percent in July 1954. In August official notice is taken that Class I sales were 86.2 percent of receipts, as compared with 84.4 percent in August 1954. Supplies are usually shortest in relation to sales in October or November, and the quantities of producer milk to be utilized in Class II are correspondingly least in these months.

In view of the foregoing indications of continued need for other source ingredients costing more than present Class II prices and the smaller quantities of producer milk to be disposed of for Class II purposes, it is concluded that the Class II price should be increased by 30 cents during October and November 1955. On the other hand, marketing conditions are not such as to require emergency action in the form of denial

of opportunity to file exceptions to a recommended decision.

Although the permanent proposal to add 30 cents to the Class II price in July through November and reduce it by 8 cents in the flush production months of April, May, and June has considerable merit it should not be adopted at this time. During the flush months handlers commonly have to transport or divert milk away from their own plants to manufacturing plants. Such outlets, however, are limited, and the prices paid at these plants are often reduced because the facilities are already taxed by flush receipts from their own regular shippers. Beginning in July, receipts from producers are usually much lower than in the immediately preceding months, the ice cream and mix demand is at a peak and the handlers who manufacture ice cream and mix must often supplement the available producer milk with ingredients from distant sources. This tight supply situation commonly continues through November, after which it is relieved by a seasonal rise in milk production.

A principal obstacle to the adoption of this proposal as a permanent provision at this time arises from the close competition that exists between handlers in the Stark County area and handlers in the Cleveland and Akron areas. The sales territories of handlers in these markets overlap to such an extent that any pronounced permanent differences in the prices of milk used in the manufacture of dairy products would seriously disrupt past and existing competitive relationships. Any handler who operates plants in more than one of the areas would be in a particularly good position to take advantage of price differences by shifting producers and manufacturing operations.

General findings. (a) The proposed marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for milk, in the marketing area and the minimum prices specified in the proposed marketing agreement and order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The proposed marketing agreement and order will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in a proposed marketing agreement and order upon which a hearing has been held.

Rulings. Briefs were filed on behalf of producers and handlers. The proposed findings and conclusions and the arguments contained in these briefs were considered in making the findings and

reaching the conclusions in this decision. To the extent that any proposed findings and conclusions in the briefs are at variance with the findings and conclusions of this decision, such proposed findings and conclusions are denied for the reasons set forth in support of the findings and conclusions of this decision on the issue to which the proposed findings and conclusions related.

Recommended marketing agreement and order. The following amendments to the order are recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be identical with those contained in the order as proposed to be further amended:

1. Amend § 963.52 by adding after paragraph (c) the following: "Provided, That in October and November 1955 in lieu of the 'basic formula price' referred to in paragraphs (a) and (c) of this section, use the basic formula price computed pursuant to § 963.50 plus 30 cents."

Filed at Washington, D. C., this 22d day of September 1955.

[SEAL] F. R. BURKE,
Acting Deputy Administrator

[F. R. Doc. 55-7757; Filed, Sept. 26, 1955;
8:46 a. m.]

DEPARTMENT OF COMMERCE

Civil Aeronautics Administration

[14 CFR Part 618]

HIGH DENSITY AIR TRAFFIC ZONE RULES, WASHINGTON, D. C.

NOTICE OF PROPOSED RULE MAKING

On October 20, 1954, the Civil Aeronautics Board adopted Special Civil Air Regulation SR-408 (19 F. R. 6871) which delegated authority to the Administrator to designate a zone to be known as a "High Density Air Traffic Zone" in the Washington, D. C., area, and to prescribe additional rules applicable therein during VFR weather conditions. Pursuant to such authority the Administrator promulgated the High Density Air Traffic Zone Rules, Washington, D. C. (20 F. R. 4681) which will terminate on November 24, 1955, the termination date of the authority delegated to the Administrator under SR-408. However, on September 13, 1955, the Board issued a Notice of Proposed Rule Making (20 F. R. 6717) in which it proposed to promulgate a new Special Civil Air Regulation including in substance the provisions of existing SR-408, but extending the termination date of the new regulation to July 31, 1956.

In view of the foregoing, notice is hereby given that in the event the Board adopts a regulation extending until July 31, 1956, the authority of the Administrator to prescribe High Density Air Traffic Zone Rules for the Washington, D. C., area, the Administrator contemplates a corresponding amendment to § 618.30 whereby the termination date of Part 618 will be extended to July 31, 1956.

This extension of time will enable the special working group of the Air Traffic Control and Navigation Panel a reasonable time in which to complete its evaluation of the experimental rules contained in Part 618.

Interested persons may participate in the making of the proposed amendment to Part 618 by submitting such written data, views, or arguments as they may desire. Communications should be submitted to the Director, Office of Federal Airways, Civil Aeronautics Administration, Washington 25, D. C., before October 21, 1955.

[SEAL] S. A. KEMP,
Acting Administrator of
Civil Aeronautics.

[F. R. Doc. 55-7828; Filed, Sept. 26, 1955;
8:52 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 227]

[Economic Regulations Draft Release 77]

TARIFFS OF AIR CARRIERS: REDUCED-RATE TRANSPORTATION AIR CARRIERS FURNISHING REDUCED-RATE OVERSEAS OR FOREIGN AIR TRANSPORTATION TO FURLOUGHED MILITARY PERSONNEL

NOTICE OF PROPOSED RULE-MAKING

SEPTEMBER 22, 1955.

Notice is hereby given that the Civil Aeronautics Board has under consideration the adoption of a new Part 227 of the Economic Regulations constituting an exercise of its powers, under section 403 (b) of the act, which permits any air carrier or foreign air carrier to voluntarily furnish reduced-rate transportation to such persons as the Board may by regulation prescribe. The proposed regulation extends this option of the carriers, with respect to certain types of overseas and foreign air transportation, to all personnel of the United States armed forces traveling at their own expense while on official furlough, leave or pass.

The principal features of the proposed regulation are explained in the Explanatory Statement set forth below and the proposed new Part 227 is set forth in the proposed rule set forth below.

Interested persons may participate in the proposed rule-making through submission of written data, views or arguments pertaining thereto, in triplicate, addressed to the Secretary, Civil Aeronautics Board, Washington 25, D. C. All relevant matter in communications received on or before October 27, 1955, will be considered by the Board before taking final action on the proposed rule.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 423. Interpret or apply secs. 403 and 404, 52 Stat. 992, 993; 49 U. S. C. 483, 484)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

Explanatory statement. Section 403 (b) of the act, empowers the Board to prescribe regulations establishing and defining the classes of persons to whom reduced-rate overseas and foreign air

transportation may be furnished. In Part 223 of the Economic Regulations the Board has exercised this power to permit either free or reduced-rate transportation to be extended to specified categories of traffic, which do not include military furlough traffic. Recently, however, the two American flag carriers engaged in trans-Atlantic service have expressed a desire to make substantial rate reductions for furloughed military personnel.

It appears that the availability of reduced-rate transportation to members of our armed forces desiring to visit their homes and families would, by improving morale, clearly aid the national defense. The Department of Defense has so advised the Board. Section 2 of the act directs the Board to view the encouragement and development of an air transportation system which is properly adapted to the requirements of national defense as a matter which is in the public interest. Since it does not appear that there are any countervailing considerations, in this instance, the Board has decided to relieve carriers from unnecessary legal restrictions tending to prevent them from voluntarily offering such reduced-rate transportation.

In the absence of the proposed regulation, preferential rates could not legally be granted to military furlough passengers whenever undue discrimination—within the purview of section 404—was thereby created. However, carriers offering reduced-rate transportation pursuant to the terms of the proposed regulation would be relieved of the burden of defending the legality of their action against challenges predicated upon alleged discrimination against civilian passengers.

But, the mere enactment of such a regulation will not serve to relieve carriers acting under its authority from any of the other prohibitions contained in either section 404 or other relevant sections of the act. Consequently, the Board will retain jurisdiction over the terms and conditions upon which reduced-rate carriage is offered and over possible questions of undue preference or undue discrimination within the class of military furlough traffic. Effective exercise of such jurisdiction calls for utilization of section 1002, which authorizes the Board to suspend and disapprove unlawful provisions of filed tariffs. In order to insure effective review of tariffs filed by carriers furnishing reduced-rate transportation pursuant to the proposed regulation, a section requiring the filing of tariffs including all practices concerning such transportation has been incorporated therein.

The Board does not deem it necessary, at this time, to prescribe any minimum levels for such concessions. Presumably, the enlightened self-interest of carrier management may be relied upon to set the level of such rates at a point which will be at least sufficient to cover the out-of-pocket costs actually incurred in moving this traffic. If experience should demonstrate, however, that this expectation is unwarranted, the Board will still be at liberty to consider necessary amendments of proposed Part 227.

In order to facilitate a continuing review and evaluation of the impact of such preferential fares on the financial condition of subsidized carriers engaged in rendering overseas and foreign air services, the Board intends to make appropriate revisions to its present reporting requirements. Such revisions will require certificated air carriers, other than foreign air carriers, to report quarterly the total number of military passengers carried, and passenger miles flown and revenues received.

In order to insure that these preferential rates will be extended only to bona fide military personnel, the proposed regulation directs carriers acting pursuant to its terms to require proper identification of such personnel.

Proposed Part 227 has been limited in its application to air transportation of individual passengers purchasing single tickets calling for either round trip or open-jaw transportation. Finally, only military personnel stationed outside the continental United States or domiciled in a territory or possession of the United States and traveling to their place of domicile may be offered such reduced-rate transportation.

The proposed rule reads as follows:

§ 227.1 *Definitions.* For the purpose of this part:

(a) "Air carrier" means an air carrier or foreign air carrier as respectively defined in sections 1 (2) and 1 (19) of the Civil Aeronautics Act of 1938, as

amended, which is directly engaged in either overseas or foreign air transportation.

(b) "Furloughed military personnel" means all military personnel of the armed forces of the United States, which are: (1) On an active duty status (2) stationed outside the continental United States or both domiciled in one of its territories or possessions and traveling thereto and (3) traveling at their own expense while on official furlough, leave, pass or other authorized absence from duty.

(c) "Reduced-rate transportation" means the carriage by a carrier subject to the provisions of this part, of any furloughed military personnel for a compensation specified in the applicable tariff of such a carrier relating thereto, which compensation is less than that otherwise applicable specified in other tariffs of the carrier.

(d) "Overseas and foreign air transportation" shall have the respective meanings attributed thereto in section 1 (21) of the Civil Aeronautics Act of 1938, as amended.

(e) "Open-jaw trip" shall mean travel which is essentially of a round-trip nature, but the outward point of departure and inward point of arrival and/or outward point of arrival and inward point of departure of which are not the same.

§ 227.2 *Conditions governing the furnishing of reduced-rate transportation.* Subject to compliance with the other

provisions of this part, all air carriers and foreign air carriers may furnish reduced-rate transportation to furloughed military personnel between the points between which such carriers are authorized to engage in overseas or foreign air transportation.

§ 227.3 *Tariffs to be filed.* No air carrier or foreign air carrier shall furnish any reduced-rate transportation pursuant to this part except in accordance with the terms of applicable tariffs, on file with the Board. Each such tariff shall contain all classifications, rules, regulations, practices, and services in connection with such air transportation.

§ 227.4 *Identification of eligible personnel.* No air carrier or foreign air carrier shall sell reduced-rate tickets or furnish reduced-rate transportation, pursuant to this part, to military personnel of the armed forces of the United States unless such personnel have in their possession and display, both at the time of sale and at the time when transportation is furnished, an authorized furlough, leave, pass or other document evidencing authorized absence from duty.

§ 227.5 *Applicability.* This part shall apply only to reduced-rate transportation furnished to individual passengers purchasing single tickets calling for either round trip or open-jaw transportation.

[F. R. Doc. 55-7790; Filed, Sept. 26, 1955; 8:51 a. m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

IDAHO LIVESTOCK EXCHANGE, INC.

DEPOSTING OF STOCKYARD

It has been ascertained that the Idaho Livestock Exchange, Inc., Pocatello, Idaho, originally posted on June 15, 1940, as being subject to the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.) no longer comes within the definition of a stockyard under said act for the reason that it is no longer being conducted or operated as a public livestock market. Therefore, notice is given to the owners of the stockyard and to the public that such livestock market is no longer subject to the provisions of the act.

Notice of public rule making has not preceded promulgation of the foregoing rule since it is found that the giving of such notice would prevent the due and timely administration of the Packers and Stockyards Act and would, therefore, be impractical. There is no legal warrant or justification for not deposing promptly a stockyard which no longer is within the definition of that term contained in said act.

The foregoing is in the nature of a rule granting an exemption or relieving a restriction and, therefore, may be made effective in less than 30 days after publication thereof in the FEDERAL REGISTER. (42 Stat. 159, as amended and supplemented; 7 U. S. C. 181 et seq.).

Done at Washington, D. C., this 22d day of September 1955.

[SEAL] H. E. REED,
Director, Livestock Division,
Agricultural Marketing Service.

[F. R. Doc. 55-7796; Filed, Sept. 26, 1955; 8:52 a. m.]

Rural Electrification Administration

[Administrative Order T-645]

ILLINOIS

LOAN ANNOUNCEMENT

JULY 18, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Champaign County Telephone Company, Illinois 506-E	
Champaign.....	\$127,000

[SEAL] ANCHER NELSEN,
Administrator

[F. R. Doc. 55-7758; Filed, Sept. 26, 1955; 8:47 a. m.]

[Administrative Order T-640]

TENNESSEE

LOAN ANNOUNCEMENT

JULY 20, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Highland Telephone Cooperative, Inc., Tennessee 554-A	
Highland.....	\$1,427,000

¹ Simultaneous allocation and loan.

[SEAL] ANCHER NELSEN,
Administrator

[F. R. Doc. 55-7759; Filed, Sept. 26, 1955; 8:47 a. m.]

[Administrative Order T-647]

NORTH CAROLINA

LOAN ANNOUNCEMENT

JULY 20, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Surry Telephone Membership Corporation, North Carolina 518-B Surry.....	\$342,000

[SEAL] ANCHER NELSEN,
Administrator.

[F. R. Doc. 55-7760; Filed, Sept. 26, 1955;
8:47 a. m.]

[Administrative Order T-648]

KANSAS

LOAN ANNOUNCEMENT

JULY 22, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Udall Telephone Company, Inc., Kansas 567-A Udall	\$153,000

* Simultaneous allocation and loan.

[SEAL] J. K. O'SHAUGHNESSY,
Acting Administrator

[F. R. Doc. 55-7761; Filed, Sept. 26, 1955;
8:47 a. m.]

[Administrative Order T-649]

KENTUCKY

LOAN ANNOUNCEMENT

JULY 22, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Logan County Rural Telephone Cooperative Corporation, Inc., Kentucky 532-A Logan	\$743,000

* Simultaneous allocation and loan.

[SEAL] J. K. O'SHAUGHNESSY,
Acting Administrator

[F. R. Doc. 55-7762; Filed, Sept. 26, 1955;
8:47 a. m.]

[Administrative Order T-650]

KANSAS

LOAN ANNOUNCEMENT

JULY 27, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as

amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
The Craw-Kan Telephone Cooperative Association, Inc., Kansas 548-B Craw-Kan	\$138,000

[SEAL] ANCHER NELSEN,
Administrator

[F. R. Doc. 55-7763; Filed, Sept. 26, 1955;
8:47 a. m.]

[Administrative Order T-651]

ILLINOIS

LOAN ANNOUNCEMENT

JULY 27, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Alhambra - Grantfork Telephone Company, Illinois 526-A Alhambra	\$242,000

[SEAL] ANCHER NELSEN,
Administrator

[F. R. Doc. 55-7764; Filed, Sept. 26, 1954;
8:47 a. m.]

[Administrative Order T-652]

ILLINOIS

LOAN ANNOUNCEMENTS

JULY 27, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Montrose Mutual Telephone Company, Illinois 523-A Montrose	\$335,000

* Simultaneous allocation and loan.

[SEAL] ANCHER NELSEN,
Administrator.

[F. R. Doc. 55-7765; Filed, Sept. 26, 1955;
8:47 a. m.]

[Administrative Order T-653]

ALABAMA

LOAN ANNOUNCEMENT

JULY 28, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Leads Telephone Company, Inc., Alabama 503-D Leads	\$203,000

[SEAL] ANCHER NELSEN,
Administrator.

[F. R. Doc. 55-7766; Filed, Sept. 26, 1955;
8:48 a. m.]

[Administrative Order T-654]

TEXAS

LOAN ANNOUNCEMENT

JULY 29, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Mid-Texas Telephone Co., Texas 597-A San Antonio	\$1,850,000

* Simultaneous allocation and loan.

[SEAL] ANCHER NELSEN,
Administrator

[F. R. Doc. 55-7767; Filed, Sept. 26, 1955;
8:48 a. m.]

[Administrative Order T-655]

WISCONSIN

LOAN ANNOUNCEMENT

AUGUST 3, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Medinee Telephone Company, Wisconsin 533-A Medinee	\$367,000

* Simultaneous allocation and loan.

[SEAL] ANCHER NELSEN,
Administrator.

[F. R. Doc. 55-7768; Filed, Sept. 26, 1955;
8:48 a. m.]

[Administrative Order T-656]

PENNSYLVANIA

LOAN ANNOUNCEMENT

AUGUST 8, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Lackawaxen and Hawley Telephone Company, Pennsylvania 616-A Lackawaxen	\$159,000

* Simultaneous allocation and loan.

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 55-7769; Filed, Sept. 26, 1955;
8:48 a. m.]

NOTICES.

[Administrative Order T-657]

TEXAS

LOAN ANNOUNCEMENT

AUGUST 9, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Texas Farmers Telephone Company, Inc., Texas 540-A (Revised) and B Temple-----	\$165,000

[SEAL] FRED H. STRONG,
Acting Administrator

[F. R. Doc. 55-7770; Filed, Sept. 26, 1955;
8:48 a. m.]

[Administrative Order T-658]

ILLINOIS

LOAN ANNOUNCEMENT

AUGUST 12, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Adams Telephone Cooperative, Illinois 518-C Adams-----	\$339,000

[SEAL] ANCHER NELSEN,
Administrator

[F. R. Doc. 55-7771; Filed, Sept. 26, 1955;
8:48 a. m.]

[Administrative Order T-659]

PENNSYLVANIA

LOAN ANNOUNCEMENT

AUGUST 17, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Penfield Telephone Company, Pennsylvania 502-A Penfield-----	\$68,000

¹ Simultaneous allocation and loan.

[SEAL] J. K. O'SHAUGHNESSY,
Acting Administrator

[F. R. Doc. 55-7772; Filed, Sept. 26, 1955;
8:48 a. m.]

[Administrative Order T-660]

WISCONSIN

LOAN ANNOUNCEMENT

AUGUST 19, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as

amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Solon Springs Telephone Company, Wisconsin 505-A Solon Springs-----	\$229,000

¹ Simultaneous allocation and loan.

[SEAL] ANCHER NELSEN,
Administrator

[F. R. Doc. 55-7773; Filed, Sept. 26, 1955;
8:49 a. m.]

[Administrative Order T-661]

FLORIDA

LOAN ANNOUNCEMENT

AUGUST 19, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Northeast Florida Telephone Company, Florida 511-A Northeast-----	\$344,000

¹ Simultaneous allocation and loan.

[SEAL] ANCHER NELSEN,
Administrator

[F. R. Doc. 55-7774; Filed, Sept. 26, 1955;
8:49 a. m.]

[Administrative Order T-662]

MONTANA

LOAN ANNOUNCEMENT

AUGUST 19, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Triangle Telephone Association, Montana 516-B Triangle-----	\$365,000

[SEAL] ANCHER NELSEN,
Administrator

[F. R. Doc. 55-7775; Filed, Sept. 26, 1955;
8:49 a. m.]

[Administrative Order T-663]

TENNESSEE

LOAN ANNOUNCEMENT

AUGUST 19, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the

Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
North Central Telephone Cooperative Corporation, Tennessee 545-C North Central-----	\$330,000

[SEAL] ANCHER NELSEN,
Administrator

[F. R. Doc. 55-7776; Filed, Sept. 26, 1955;
8:49 a. m.]

[Administrative Order T-664]

TEXAS

LOAN ANNOUNCEMENT

AUGUST 24, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Santa Rosa Telephone Cooperative, Inc., Texas 559-D Vernon-----	\$101,000

[SEAL] ANCHER NELSEN,
Administrator

[F. R. Doc. 55-7777; Filed, Sept. 26, 1955;
8:49 a. m.]

[Administrative Order T-665]

MICHIGAN

LOAN ANNOUNCEMENT

AUGUST 24, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Delton Telephone Company, Michigan 520-A Delton-----	\$480,000

¹ Simultaneous allocation and loan.

[SEAL] ANCHER NELSEN,
Administrator

[F. R. Doc. 55-7778; Filed, Sept. 26, 1955;
8:49 a. m.]

[Administrative Order T-666]

MISSOURI

LOAN ANNOUNCEMENT

AUGUST 24, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Golden City Telephone Com-
pany, Inc., Missouri 504-A
Golden City----- \$270,000
* Simultaneous allocation and loan.

[SEAL] ANCHER NELSEN,
Administrator

[F. R. Doc. 55-7779; Filed, Sept. 26, 1955;
8:49 a. m.]

[Administrative Order T-667]

COLORADO

LOAN ANNOUNCEMENT

AUGUST 25, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
The Eagle Valley Telephone Com-
pany, Colorado 504-A Eagle
Valley----- \$285,000
* Simultaneous allocation and loan.

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 55-7780; Filed, Sept. 26, 1955;
8:50 a. m.]

[Administrative Order T-668]

INDIANA

LOAN ANNOUNCEMENT

AUGUST 29, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
The Eureka Telephone Company,
Inc., Indiana 505-D Eureka--- \$118,000

[SEAL] ANCHER NELSEN,
Administrator

[F. R. Doc. 55-7781; Filed, Sept. 26, 1955;
8:50 a. m.]

[Administrative Order T-669]

TENNESSEE

LOAN ANNOUNCEMENT

AUGUST 29, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Ardmore Telephone Company,
Inc., Tennessee 501-B Ard-
more----- \$327,000
* Simultaneous allocation and loan.

[SEAL] ANCHER NELSEN,
Administrator.

[F. R. Doc. 55-7782; Filed, Sept. 26, 1955;
8:50 a. m.]

No. 188—4

[Administrative Order T-670]

GEORGIA

LOAN ANNOUNCEMENT

AUGUST 30, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Commerce Telephone Com-
pany, Georgia 554-A Com-
merce----- \$1,550,000
* Simultaneous allocation and loan.

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 55-7783; Filed, Sept. 26, 1955;
8:50 a. m.]

[Administrative Order T-671]

IOWA

LOAN ANNOUNCEMENT

AUGUST 30, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Farmers Mutual Cooperative
Telephone Company of Shelby
County, Iowa, Iowa 520-B Har-
lan----- \$287,000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 55-7784; Filed, Sept. 26, 1955;
8:50 a. m.]

[Administrative Order T-672]

MAINE

LOAN ANNOUNCEMENT

AUGUST 31, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Union Telephone Company,
Maine 515-A Union----- \$133,000
* Simultaneous allocation and loan.

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 55-7785; Filed, Sept. 26, 1955;
8:50 a. m.]

[Administrative Order T-673]

SOUTH DAKOTA

AMENDING BORROWER'S DESIGNATION

AUGUST 31, 1955.

I hereby amend:

(a) Administrative Order No. T-495
dated September 1, 1954, by changing

the borrower's designation appearing therein as "Baltic Telephone Company—South Dakota 523-A" in the amount of \$102,000 to read "Baltic Cooperative Telephone Company—South Dakota 523-A Baltic" in the amount of \$102,030.

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 55-7786; Filed, Sept. 26, 1955;
8:59 a. m.]

DEPARTMENT OF JUSTICE

Office of the Attorney General

[Order 83-55]

DESIGNATION OF ORGANIZATIONS IN CON- NECTION WITH THE FEDERAL EMPLOYEE SECURITY PROGRAM

Pursuant to Executive Order No. 10450 of April 27, 1953, establishing security requirements for Government employees, designations of organizations previously designated pursuant to Part III, section 3 of Executive Order No. 9835 and redesignated pursuant to Executive Order No. 10450 were published in the FEDERAL REGISTER of May 12, 1953 (18 F. R. 2741).

The designation of Shinto Temples is clarified to read as follows:

Shinto Temples (limited to State Shinto abolished in 1945).

The designation of the Massachusetts Minute Women for Peace published in the FEDERAL REGISTER of February 4, 1954 (19 F. R. 655) is clarified to read as follows:

Massachusetts Minute Women for Peace (not connected with the Minute Women of the U. S. A., Inc.).

WILLIAM P. ROGERS,
Acting Attorney General.

SEPTEMBER 21, 1955.

[F. R. Doc. 55-7787; Filed, Sept. 26, 1955;
8:52 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 7261]

NORTH CENTRAL AIRLINES PERMANENT CERTIFICATION CASE

NOTICE OF HEARING

In the matter of the application of North Central Airlines, Inc., under Section 401 (e) (3) of the Civil Aeronautics Act of 1938, as amended, for a certificate of public convenience and necessity of unlimited duration for Route No. 86.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, that a hearing in the above-entitled proceeding is assigned to be held on October 6, 1955, at 10:00 a. m., e. s. t., in Room E-206, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Paul N. Pfeiffer.

Dated at Washington, D. C., Septem-
ber 22, 1955.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 55-7791; Filed, Sept. 26, 1955;
8:51 a. m.]

[Docket No. 7398]

ONTARIO CENTRAL AIRLINES LTD.

NOTICE OF HEARING

In the matter of the application of Ontario Central Airlines Limited for a foreign air carrier permit issued pursuant to Section 402 of the Civil Aeronautics Act to perform operations of a casual, occasional or infrequent nature, in common carriage, from Canada into the United States.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, that a hearing in the above-entitled proceeding is assigned to be held on September 30, 1955, at 10:00 a. m., e. s. t., in Room E-206, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D. C., September 22, 1955.

[SEAL] FRANCIS W. BROWN,
Chief Examiner

[F. R. Doc. 55-7792; Filed, Sept. 26, 1955;
8:52 a. m.]

[Docket No. SA-309]

ACCIDENT OCCURRING AT FT. LEONARD WOOD, MO.

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry N 94221, which occurred at Ft. Leonard Wood, Missouri, August 4, 1955.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly Section 702 of said Act, in the above-entitled proceeding that hearing is hereby assigned to be held on Tuesday, October 4, 1955, at 9:30 a. m. (local time) in the Green County Courthouse, Division 2, Circuit Court Room, Springfield, Missouri.

Dated at Washington, D. C., September 21, 1955.

[SEAL] VAN R. O'BRIEN,
Presiding Officer

[F. R. Doc. 55-7793; Filed, Sept. 26, 1955;
8:52 a. m.]

INTERSTATE COMMERCE
COMMISSIONFOURTH SECTION APPLICATIONS FOR RELIEF
SEPTEMBER 22, 1955.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 31122: *Fertilizer from Canada to Western Trunk Line Territory*. Filed by W. J. Prueter, Agent, for interested rail carriers. Rates on dry fertilizer and fertilizer materials, carloads, from Calgary and Ft. Saskatchewan, Alta., and Kimberley and Warfield, B. C., Canada, to specified points in Colorado, Iowa,

Kansas, Michigan (upper peninsula) Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming.

Grounds for relief: Short-line distance formula, market competition, and circuitry.

Tariffs: Supplement 5 to Canadian National Railways I. C. C. W-672, and one other tariff.

FSA No. 31123: *Scrap paper to Pryor Okla.* Filed by F. C. Kratzmeier, Agent, for interested rail carriers. Rates on scrap or waste paper, not sensitized nor excelsior paper, straight or mixed carloads, from Sparta, Ill., and Albany, Ga., to Pryor, Okla. (Includes Oklahoma Ordnance Works)

Grounds for relief: Short-line distance formula, market competition, and circuitry.

Tariff: Supplement 97 to Agent F. C. Kratzmeier's I. C. C. 4109.

FSA No. 31124: *Caustic soda—Whitehall-Montague, Mich., to Illinois*. Filed by H. R. Hinsch, Agent, for interested rail carriers. Rates on liquid caustic soda, tank-car loads, from Whitehall-Montague, Mich., to Chicago, Ill., and Chicago district points, also Joliet and Lemont, Ill.

Grounds for relief: Competition with carriers by water and circuitous routes.

Tariff: Supplement 254 to Agent R. B. LeGrande's I. C. C. 13168.

FSA No. 31125: *Lumber—North Pacific Coast to Minnesota*. Filed by W. J. Prueter, Agent, for interested rail carriers. Rates on lumber, shingles, and related articles, carloads, from stations in California and Oregon on specified carriers to stations in Minnesota on specified carriers.

Grounds for relief: Circuitous routes through higher-rated destination groups.

FSA No. 31126: *Phosphate rock—Florida to New Mexico and Texas*. Filed by R. E. Boyle, Jr., Agent, for interested rail carriers. Rates on phosphate rock, carloads, from Bartow, Fla., and other named points in Florida, to specified points in New Mexico and Texas.

Grounds for relief: Circuitous routes.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 55-7787; Filed, Sept. 26, 1955;
8:51 a. m.]

SECURITIES AND EXCHANGE
COMMISSION

[File No. 812-956]

INVESTORS DIVERSIFIED SERVICES, INC.,
AND INVESTORS SYNDICATE OF AMERICA,
INC.

NOTICE OF AND ORDER FOR HEARING ON
APPLICATION FOR ORDER EXEMPTING
TRANSACTIONS BETWEEN AFFILIATED PER-
SONS AND AUTHORIZING SECURITY AS A
QUALIFIED INVESTMENT

SEPTEMBER 21, 1955.

Notice is hereby given that Investors Diversified Services, Inc. ("IDS"), and Investors Syndicate of America, Inc. ("ISA") registered, face-amount certificate companies under the Investment

Company Act of 1940 (the "Act"), have filed a joint application pursuant to the provisions of section 17 (b) of the Act requesting an order exempting from the provisions of section 17 (a) of the Act the exchange of their holdings of Preferred Stock of Atlantic Life Insurance Company ("Atlantic"), for Prior Preferred Stock of Life Companies, Incorporated ("Life") and the purchase from Atlantic by IDS of additional shares of Prior Preferred Stock of Life. ISA also requests an order under section 28 (b) of the Act authorizing the Prior Preferred Stock of Life as a qualified investment for purposes of that section.

Since April 20, 1955, Murchison Brothers, a partnership consisting of Clint W. Murchison, Jr., and John D. Murchison of Dallas, Texas, has controlled IDS through ownership of approximately 39.8 percent of its voting stock. IDS, in turn, controls ISA through ownership of more than 99.99 percent of the latter's voting stock.

Murchison Brothers caused Life, a new insurance company, to be incorporated under the laws of Virginia in August 1955. At that time, Murchison Brothers owned 98.5 percent of Atlantic's Common Stock and Atlantic, in turn, owned over 98 percent of the outstanding Common Stock of Lamar Life Insurance Company ("Lamar"). Both Atlantic and Lamar are life insurance companies and Life was formed to hold their stocks and also to function as an operating company, primarily in the business of reinsurance.

All of Life's outstanding 1,250,000 shares of Common Stock and \$7,000,000 par value of 5 percent Convertible Preferred Stock (280,000 shares \$25 par), were issued to Murchison Brothers for their holdings of Atlantic Common Stock and \$300,000 in cash. All of Life's \$3,000,000 par value of Prior Preferred Stock (30,000 shares, par value \$100) was issued to Atlantic for its holdings of Lamar Common Stock. Atlantic proposes to use this new issue of Prior Preferred Stock of Life to retire its own outstanding 5 percent Cumulative Preferred Stock.

Atlantic, IDS, and ISA are affiliated persons of each other, as defined in the Act, since they are under common control of Murchison Brothers. Accordingly, the proposed transactions between Atlantic, IDS, and ISA are prohibited by section 17 (a) of the Act unless exempted by order entered pursuant to section 17 (b) of the Act after a finding that the terms of the proposed transaction, including the consideration to be paid, are reasonable and fair and do not involve overreaching on the part of any person concerned, that the proposed transaction is consistent with the policy of each registered investment company concerned, as recited in its registration statement and reports filed under the Act, and that the proposed transaction is consistent with the general purposes of the Act.

IDS, among other things, acts as investment adviser to ISA and to Investors Mutual, Inc. ("Mutual"), and Investors Selective Fund, Inc. ("Selective"), registered open-end investment companies. The application states that on May 28, 1953, at a time when no affiliation with

Atlantic existed, IDS, ISA, Mutual, and Selective purchased, in a privately negotiated, arms-length transaction, the entire issue of 30,000 shares of 5 percent Cumulative Preferred Stock (\$100 par value per share) of Atlantic. The stock was purchased at par, or an aggregate purchase price of \$3,000,000. Since then, 1,500 shares have been retired at par pursuant to the sinking fund provisions of the stock. Of the remaining 28,500 shares, IDS owns 9,625 shares, ISA 15,000 shares, Mutual 3,000 shares and Selective 875 shares. IDS and ISA propose to exchange their respective holdings of Preferred Stock of Atlantic, totaling 24,625 shares, for a like number of shares of Prior Preferred Stock of Life. The application states that because of certain provisions in the by-laws of Mutual and Selective, they are prevented from holding shares of Life stock and so cannot participate in the proposed exchange. Accordingly, Atlantic will call the 3,875 shares of its Preferred Stock held by Mutual and Selective for redemption at the present call price of \$104.50 per share. IDS proposes to purchase from Atlantic, at par, the corresponding 3,875 shares of Life Prior Preferred Stock. IDS also proposes to purchase from Atlantic, at par, the remaining 1,500 shares of Life Prior Preferred Stock, equivalent to the shares of Atlantic Preferred Stock recently retired at par through sinking fund operations. Thus, of the 30,000 shares of Life Prior Preferred Stock acquired by Atlantic for its holdings of Lamar Common Stock, it is proposed that 24,625 of such shares be exchanged for Atlantic Preferred Stock presently held by IDS and ISA, and the balance of 5,375 shares be sold to IDS at par. The applicants have been informed that if these transactions are not effected, all the Atlantic Preferred Stock will be called for redemption pursuant to its terms and the new issue of Life Prior Preferred Stock or its equivalent will be sold to other parties.

Upon consummation of the proposed transactions, Atlantic's capitalization will consist entirely of Common Stock and Lamar will have outstanding Preferred Stock, largely owned by Atlantic, and Common Stock. Life's assets will consist of \$300,000 in cash and investments in Atlantic and Lamar carried at their underlying book value of \$11,944,255, and its outstanding capitalization will consist of \$3,000,000 par value of 5 percent Prior Preferred Stock, \$7,000,000 par value of 5 percent Convertible Preferred Stock, \$1,250,000 par value of Common Stock (par value \$1 per share) and paid-in surplus of \$994,255. The applicants have been informed that proposals are being considered for a public offering through an underwriting group of 400,000 shares of the Common Stock of Life owned by Murchison Brothers. No underwriting arrangements or contracts have yet been decided upon, but applicants are advised that if an underwriting and public offering of such shares is arranged, the offering price for the Common Stock will be somewhere in the neighborhood of \$18 per share.

The new Prior Preferred Stock of Life which applicants propose to acquire will

rank prior to all other securities of Life outstanding or to be outstanding. It will be substantially similar in terms to the Atlantic Preferred Stock, including provision for a sinking fund, to the extent that net earnings after payment of dividends on the stock are available, sufficient to retire 5 percent of the issue at par each year. Pursuant to a collateral agreement entered into in connection with the Atlantic preferred issue, Murchison Brothers had agreed to purchase Preferred Stock equal to the sinking fund requirements in the event of Atlantic's failure to meet such requirements. A similar guaranty will not be made with respect to the new Life Prior Preferred Stock.

Section 28 of the Act imposes certain requirements on face-amount certificate companies with respect to the maintenance of qualified assets. While ISA has a substantial margin of assets which could be invested in securities not qualified under section 28 (b), it has been its practice to have virtually all of its assets invested in qualified securities. The term "qualified investments" is defined in section 28 (b) to mean investments of a kind which life insurance companies are permitted to invest in or hold under the provisions of the Code of the District of Columbia ("D. C. Code"), and such other investments as the Commission shall by rule, regulation or order authorize as qualified investments. The D. C. Code permits investments in preferred stock of any solvent corporation, provided, among other things, that the corporation has earned during each of the three fiscal years next preceding the date of the investment at least three times the dividends on the preferred issue. Applicants state that while Life, being newly organized, cannot technically meet this requirement, the \$150,000 annual dividend requirement on its Prior Preferred Stock is protected by earnings to an extent greater than required by the D. C. Code since the earnings of the two operating subsidiaries of Life in the past five years have each far exceeded the three times earnings test of the D. C. Code in respect of the dividend requirements of the Prior Preferred Stock.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors that a hearing be held with respect to the application;

It is ordered, Pursuant to section 40 (a) of said Act, that a hearing on the aforesaid application under the applicable provisions of the Act and of the Rules of the Commission thereunder be held on the 5th day of October 1955, at 9.30 a. m., in the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At such time the Hearing Room Clerk will advise as to the room in which such hearing will be held. Any person desiring to be heard or otherwise wishing to participate in this proceeding is directed to file with the Secretary of the Commission his application as provided by Rule XVII of the Commission's Rules of Practice, on or before the date provided in that Rule setting forth any issues of law

or facts which he desires to controvert or any additional issues which he deems raised by this Notice and Order or by such application.

It is further ordered, That William W. Swift, or any officer or officers of the Commission, designated by it for that purpose, shall preside at said hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under Sections 41 and 42 (b) of the Investment Company Act of 1940 and to a hearing officer under the Commission's Rules of Practice.

The Division of Corporate Regulation having advised the Commission that it has made a preliminary examination of the application, and that upon the basis thereof the following matters and questions are presented for consideration, without prejudice to its specifying additional matters and questions upon further examination:

(1) Whether, pursuant to section 17 (b) of the Act, the terms of the proposed transaction, including the consideration to be paid, are reasonable and fair and do not involve overreaching on the part of any person concerned, the proposed transaction is consistent with the policy of the registered investment company concerned as recited in its registration statement and reports filed under the Act, and the proposed transaction is consistent with the general purposes of the Act.

(2) Whether, pursuant to section 23 (b) of the Act, the Prior Preferred Stock of Life should be authorized as a qualified investment.

It is further ordered, That at the aforesaid hearing attention be given to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall give notice of the aforesaid hearing by mailing a copy of this Notice and Order by registered mail to Investors Diversified Services, Inc., and Investors Syndicate of America, Inc., and that notice to all persons shall be given by publication of this Notice and Order in the FEDERAL REGISTER; and that a general release of this Commission in respect of this Notice and Order be distributed to the press and mailed to the mailing list for releases.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 55-7755; Filed, Sept. 26, 1955;
8:46 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-8692, etc.]

CITY OF DES ARC, ARK., ET AL.

NOTICE OF CONTINUANCE OF HEARING

SEPTEMBER 9, 1955.

In the matters of City of Des Arc, Arkansas, Docket No. G-8692; City of Hazen, Arkansas, Docket No. G-8693; City of Augusta, Arkansas, Docket No. G-3776.

Take notice that the hearings, now scheduled to commence on September 22, 1955 (20 F. R. 6199), in the above-

NOTICES

designated matters, are hereby postponed to be held on September 29, 1955, at 10:00 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-7754; Filed, Sept. 26, 1955;
8:46 a. m.]

[Docket No. G-9267]

COLORADO INTERSTATE GAS CO.

NOTICE OF APPLICATION

SEPTEMBER 21, 1955.

Take notice that Colorado Interstate Gas Company, Applicant, a Delaware corporation whose address is Colorado National Bank Building, Colorado Springs, Colorado, filed on August 29, 1955, an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas

Act, authorizing Applicant to construct and operate certain proposed facilities as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant proposes to construct approximately 1.9 miles of 4 inch pipeline for the purpose of rendering direct industrial service to Pabco Products, Incorporated which is building a new gypsum wallboard plant located between Florence and Portland, Colorado.

Said line will run from a point of interconnection with Applicant's present 8 inch Portland lateral line near Portland, Colorado, in a westerly direction for a distance of approximately 1.9 miles where it will terminate on or adjacent to the premises of Pabco. Applicant also proposes to construct a meter and regulator station to be located on or adjacent to the premises of Pabco.

The total estimated cost of the pipeline and station is stated to be \$22,903.00. However, as a contribution in aid of con-

struction, Pabco has agreed to reimburse Applicant for the actual cost of the 4-inch line which is stated by Applicant for this purpose to be \$22,357.00.

Under contract dated June 6, 1955, Applicant, proposes to deliver up to 1500 MCF per day, of which 25 MCF will be on a firm basis and 1475 MCF on an interruptible basis with an option to deliver quantities in excess of 1500 MCF per day on an interruptible basis. The prices to January 1, 1957 (hereinafter to be determined annually on a negotiated basis), are stated as 30 cents per MCF for firm gas and 21 cents per MCF for interruptible gas.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before October 10, 1955.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-7755; Filed, Sept. 26, 1955;
8:46 a. m.]